



Compliance Chart

Affiliated Groups

State	Home State Statute	Definition of Affiliate	Definition of Affiliated Group	Home State Definition for Affiliated Groups	Other Guidance
Alabama	Ala.Code 1975 § 27-61-1	2. "Affiliate" means, with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured.	None	(B) AFFILIATED GROUPS. If more than one insured from an affiliated group are named insureds on a single Non-Admitted Insurance contract, the term "Home State" means the Home State, as determined pursuant to subparagraph (A), of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
Alaska	AS § 21.34.900	(1) "affiliate" or "affiliated" means, with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured;	(2) "affiliated group" means any group of entities that are all affiliated;	(B) If two or more insureds from an affiliated group are named insureds on a single policy, "home state" under (A) of this paragraph is based on the member of the affiliated group that has the largest percentage of premium attributed to it under the insurance contract;	None
Arizona	A.R.S. § 20-401	1. "Affiliated" means, with respect to an insured, any entity that controls, is controlled by or is under common control with the insured. For the purposes of this paragraph, "control" means either: (a) Directly or indirectly acting through one or more other persons who own, control or have the power to vote twenty-five per cent or more of any class of voting securities of the other entity. (b) Control in any manner over the election of a majority of the directors or trustees of the other entity.	2. "Affiliated group" means any group of entities that are affiliated.	(c) If more than one insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the state as determined pursuant to subdivision (a) of this paragraph of the member of the affiliated group that has the largest percentage of premium attributed to it under the insurance contract.	None
Arkansas	A.C.A. § 23-65-304	None	(1) "Affiliated group" means a group of entities in which each entity, with respect to an insured, controls, is controlled by, or is under common control with the insured;	(B) If more than one (1) insured from an affiliated group are named insureds on a single nonadmitted insurance contract, "home state" means the home state of the member of the affiliated group that has the largest percentage of premium attributed to it under the insurance contract as determined under subdivision (6)(A) of this section;	None
California	West's Ann.Cal.Ins.Code § 1760.1	None	None	(4) Affiliated groups. If more than one insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the term "home state" means the home state, as determined pursuant to subparagraph (A) of paragraph (1), of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
Colorado	C.R.S.A. § 10-5-101.2	None	(2) "Affiliated group" means any group of entities that are all affiliated.	(b) With respect to affiliated groups, if more than one insured from an affiliated group are named insureds on a single surplus lines insurance contract, "home state" means the home state, as determined pursuant to paragraph (a) of this subsection (7), of the member of the affiliated group that has the largest percentage of premium attributed to it under the insurance contract.	None
Connecticut	C.G.S.A. § 38a-743	None	None	(1) "Home state" means home state, as defined in Section 527 of the Nonadmitted and Reinsurance Reform Act of 2010;1	None
Delaware	18 Del.C. § 1904	(2) Affiliate.--The term "affiliate" means, with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured.	(3) Affiliated group.--The term "affiliated group" means any group of entities that are all affiliated.	b. Affiliated groups.--If more than 1 insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the term "home state" means the home state, as determined pursuant to paragraph (a)(9)a. of this section, of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
District of Columbia	None	None	None	None	None
Florida	BULLETIN: 2011-02	None	None	If more than one insured from an affiliate group are named insureds on a single nonadmitted insurance placement, Florida will be considered the Home State for that placement if Florida is the Home State of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
Georgia	Ga. Code Ann., § 33-5-20.1	None	None	If more than one insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the term "home state" means the home state, as determined according to subparagraph (A) of this paragraph, of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
Hawaii	HRS § 431:8-102	None	None	"Home state of affiliated group" means the home state of the member of the affiliated group that has the largest percentage of premium attributed to it under an insurance contract that has more than one insured from the affiliated group listed as named insureds on a single unauthorized insurance contract.	None
Idaho	I.C. § 41-1213	(1) "Affiliated" means, with respect to an insured, any entity that controls, is controlled by or is under common control with the insured.	(2) "Affiliated group" means any group of entities that are all affiliated.	(b) If more than one (1) insured from an affiliated group are named insureds on a single nonadmitted insurance contract, then "home state" means the home state, as determined pursuant to the provisions of paragraph (a) of this subsection, of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
Illinois	215 ILCS 5/445	"Affiliate" means, with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured. For the purpose of this definition, an entity has control over another entity if: (A) the entity directly or indirectly or acting through one or more other persons owns, controls, or has the power to vote 25% or more of any class of voting securities of the other entity; or (B) the entity controls in any manner the election of a majority of the directors or trustees of the other entity.	"Affiliated group" means any group of entities that are all affiliated.	(B) If more than one insured from an affiliated group are named insureds on a single surplus line insurance contract, then "home state" means the home state, as determined pursuant to item (A) of this definition, of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	If more than one insured from a group that is not affiliated are named insureds on a single surplus line insurance contract, then: (I) if individual group members pay 100% of the premium for the insurance from their own funds, "home state" means the home state, as determined pursuant to item (A) of this definition, of each individual group member; each individual group member's coverage under the surplus line insurance contract shall be treated as a separate surplus line contract for the purposes of this Section; (II) otherwise, "home state" means the home state, as determined pursuant to item (A) of this definition, of the group.

State	Home State Statute	Definition of Affiliate	Definition of Affiliated Group	Home State Definition for Affiliated Groups	Other Guidance
Indiana	IC 27-18-1-14	None	Sec. 3. "Affiliated group" means a group of affiliates.	(2) With respect to an affiliated group, if more than one (1) insured from the affiliated group is a named insured on a single nonadmitted insurance contract, the home state determined under subdivision (1) of the member of the affiliated group that has the largest percentage of premium attributed to the member under the insurance contract.	None
Iowa	I.C.A. § 515I.2	2. "Affiliate" means, with respect to an insurer, any entity that controls, is controlled by, or is under common control with the insurer.	3. "Affiliated group" means any group of entities that are affiliates.	b. If more than one insured from an affiliated group is a named insured on a single surplus lines insurance policy or contract, the home state, as determined pursuant to paragraph "a", subparagraph (1), of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance policy or contract.	None
Kansas	K.S.A. 40-246i	None	None	(2) Affiliated groups. If more than one insured from an affiliated group are named insureds on a single non-admitted insurance contract, the term "home state" means the home state, as determined pursuant to paragraph (1), of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
Kentucky	KRS § 304.10-030	(2) "Affiliate" means, with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured.	(B) AFFILIATED GROUPS. If more than one insured from an affiliated group are named insureds on a single Non-Admitted Insurance contract, the term "Home State" means the Home State, as determined pursuant to subparagraph (A), of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	(b) If more than one (1) insureds from an affiliated group are named insureds on a single nonadmitted insurance contract, the home state, as determined pursuant to paragraph (a) of this section, of the member of the affiliated group that has the largest percentage of premium attributed to it under the insurance contract.	None
Louisiana	LSA-R.S. 22-46	None	None	(iii) If more than one insured from an affiliated group are named insureds on a single surplus lines insurance contract, the state, as determined pursuant to Item (i) or (ii) of this Subparagraph, of the member of the affiliated group that has the largest percentage of premium attributed to it under the surplus lines insurance contract.	None
Maine	24-A M.R.S.A. § 2003	None	5. "Affiliated group" means any group of affiliates.	8. With respect to an affiliated group, if more than one of the insureds from an affiliated group are named insureds on a single nonadmitted insurance contract, the home state, as determined pursuant to paragraph A, of the member of the affiliated group that has the largest percentage of premium attributed to it under that insurance contract.	None
Maryland	COMAR 31.03.06.01-1	None	None	(b) If more than 1 insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the term "Home State" means the Home State, as determined pursuant to §B(2)(a) of this regulation, of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
Massachusetts	Changes to Surplus Lines Premium Fee Reporting Procedures (December 14, 2011)	None	None	If more than one insured from an affiliate group are named insureds on a single nonadmitted insurance placement, Massachusetts will be considered the Home State for that placement if Massachusetts is the Home State of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract. See 15 U.S.C. § 8206 (6)(B).	None
Michigan	Nonadmitted and Reinsurance Reform Act of 2010 FAQ (July 30, 2012)	None	None	If more than one insured from an affiliate group are named insureds on a single nonadmitted insurance placement, Michigan will be considered the Home State for that placement if Michigan is the Home State of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
Minnesota	M.S.A. § 60A.196	None	(a) "Affiliated group" means a group which includes the insured and any entity, or group of entities, that controls, is controlled by, or is under common control with the insured. An entity has control over another entity when: (1) the entity directly, indirectly, or acting through one or more persons owns, controls, or has the power to vote 25 percent or more of any class of voting securities of the other entity, or (2) the entity controls in any manner the election of a majority of the directors or trustees of the other entity.	(f) "Home state" means the state in which an insured maintains its principal place of business, or in the case of an individual, the individual's principal residence. If 100 percent of the insured risk is located out of the state, the term means the state to which the greatest percentage of the insured's taxable premium for that insurance contract is allocated. If more than one insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the term means the home state of the member of the affiliated group that has the largest percentage of premium attributed to it under that insurance contract.	None
Mississippi	Miss. Code Ann. § 83-21-18	None	None	(ii) If more than one (1) insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the term "home state" means the home state, as determined according to subparagraph (i)1 of this paragraph (a), of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
Missouri	V.A.M.S. 384.015	None	None	(b) If more insureds than one from an affiliated group are named insureds on a single nonadmitted insurance contract, the term "home state" means the home state, as determined under paragraph (a) of this subdivision, of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract;	None
Montana	MCA 33-2-301	None	(b) "Affiliated group" means any group of persons that are affiliated.	(iii) if more than one insured from an affiliated group are named insureds on a single surplus lines insurance contract, the home state as determined under subsection (3)(j)(i) or (3)(j)(ii) for the member of the affiliated group that has the largest percentage of premium attributed to it under the surplus lines insurance contract; or	(iv) if a group policyholder pays 100% of the premium from its own funds, the home state of the group policyholder as determined under subsection (3)(j)(i) or, if a group policyholder does not pay 100% of the premiums from its own funds, the home state of the group member as determined under subsection (3)(j)(i).
Nebraska	Neb.Rev.St. § 44-5502	None	(1) Affiliated group means a group of entities in which each entity, with respect to an insured, controls, is controlled by, or is under common control with the insured;	(b) If more than one insured from an affiliated group are named insureds on a single nonadmitted insurance contract, home state means the home state, as determined pursuant to subdivision (7)(a) of this section, of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	
Nevada	N.R.S. 685A.034	None	None	2. If more than one insured from an affiliated group is a named insured on a single nonadmitted insurance contract, the state determined pursuant to paragraph (a) of subsection 1 for the member of the affiliated group that has the largest percentage of premium attributed to it under the nonadmitted insurance contract.	3. For a policy of group insurance: (a) If the group policyholder pays 100 percent of the premium from its own funds, the state determined pursuant to paragraph (a) of subsection 1 for the group policyholder. (b) If the group policyholder does not pay 100 percent of the premium from its own funds, the state determined pursuant to paragraph (a) of subsection 1 for the group member.

State	Home State Statute	Definition of Affiliate	Definition of Affiliated Group	Home State Definition for Affiliated Groups	Other Guidance
New Hampshire	INS-11-011-AB	(2) Affiliate. - The term "affiliate" means, with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured.	(3) Affiliated group. - The term "affiliated group" means any group of entities that are all affiliated.	(B) Affiliated groups. - If more than 1 insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the term "home state" means the home state, as determined pursuant to subparagraph (A), of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
New Jersey	N.J.S.A. 17:22-6.41	None	None	(2) If more than one insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the term "home state" means the home state, as determined pursuant to subparagraph (i) of paragraph (1) of this subsection, of the member of the affiliated group that has the largest percentage of premium attributed to it under that insurance contract.	None
New Mexico	N. M. S. A. 1978, § 59A-14-2	A. "affiliate" means, with respect to an insured, any entity that controls, is controlled by or is under common control with the insured;	B. "affiliated group" means any group of entities that are all affiliated;	(3) If more than one insured from an affiliated group are named insureds on a single nonadmitted insurance contract, "home state" means the home state, as determined pursuant to Paragraph (1) or (2) of this subsection, of the member of the affiliated group that has the largest percentage of premium attributed to it under the insurance contract;	None
New York	McKinney's Insurance Law § 2101			(C) if more than one insured from an affiliated group are named insureds on a single insurance contract, then the insured's home state, as determined pursuant to subparagraph (A) of this paragraph, of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract; or	(D) in the case of a group policy: (i) when the group policyholder pays one hundred percent of the premium from its own funds, then the insured's home state, as determined pursuant to subparagraph (A) of this paragraph, of the group policyholder; or (ii) when the group policyholder does not pay one hundred percent of the premium from its own funds, then the home state, as determined pursuant to subparagraph (A) of this paragraph, of the group member;
North Carolina	N.C.G.S.A. § 58-21-10	(1a) "Affiliate" means, with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured.	(1b) "Affiliated group" means any group of entities that are all affiliated.	(c) Affiliated Groups. -- If two or more insureds from an affiliated group are named insureds on a single nonadmitted insurance contract, the term "home state" means the home state, as determined pursuant to subsection (b) of this section, of the member of the affiliated group that has the largest percentage of premium attributed to it under that insurance contract.	None
North Dakota	NDCC, 26.1-44-01.1	None	None	b. If more than one insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the term "home state" means the home state, as determined pursuant to subdivision a, of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
Ohio	R.C. § 3905.30	None	None	(b) If more than one insured from an affiliated group are named insureds on a single unauthorized insurance contract, "home state" means the state in which the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
Oklahoma	36 Okl.St. Ann. § 1100.1	None	None	d. If more than one insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the term "home state" means the home state, as determined pursuant to division (1) of subparagraph a of this paragraph, of the member affiliated group that has the largest percentage of premium attributed to it under such insurance contract, or	None
Oregon	O.R.S. § 735.405	None	(2) "Affiliated group" means any group of entities that, with respect to an insured, exercise control over the insured, are under the control of the insured, or are under common control with the insured.	(c) If two or more insureds from an affiliated group are named as insureds on a single nonadmitted insurance contract, the state, as determined pursuant to paragraph (a) or (b) of this subsection, of the member of the affiliated group that has the greatest percentage of premium attributed to it under the insurance contract.	None
Pennsylvania	40 P.S. § 991.1602	"Affiliate." With respect to an insured, any entity that controls, is controlled by or is under common control with the insured.	"Affiliated group." Any group of entities that are all affiliated.	(2) If more than one insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the term means the home state, as determined under paragraph (1), of the member of the affiliated group that has the largest percentage of premium attributed to it under the insurance contract.	None
Rhode Island	Gen.Laws 1956, § 27-75-3	(2) "Affiliate" means, with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured.	None	(ii) Affiliated groups. If more than one insured from an affiliated group are named insureds on a single non-admitted insurance contract, the term "home state" means the home state, as determined pursuant to subparagraph (i), of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
South Carolina	Code 1976 § 38-45-10	(2) "Affiliate" means, with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured.	(3) "Affiliated group" means any group of entities that are all affiliated.	(b) Notwithstanding the provisions of subitem (a), if more than one insured from an affiliated group are named insureds on a single surplus lines insurance contract, the term "home state" means the home state, as determined pursuant to subitem (a), of the member of the affiliated group that has the largest percentage of premium attributed to it under the insurance contract.	None
South Dakota	SDCL § 58-32-3.1	None	None	If more than one insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the term means the home state as determined under subdivision (1) of this section of the member of the affiliated group that has the largest percentage of premium attributable to it under the contract.	None
Tennessee	T. C. A. § 56-14-102	(2) "Affiliate" means, with respect to an insured, any entity that controls the insured, is controlled by the insured or is under common control with the insured;	(3) "Affiliated group" means a group of entities in which each entity, with respect to an insured, controls the insured, is controlled by the insured, or is under common control with the insured;	(B) If more than one (1) insured from an affiliated group are named insureds on a single nonadmitted insurance contract, "home state" means the home state, as determined pursuant to subdivision (9)(A), of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract;	None
Texas	V.T.C.A., Insurance Code § 981.002	None	(2) "Affiliated group" means a group of entities whose members are all affiliated.	(D) for an affiliated group, the home state of the member, as determined under Paragraphs (A)-(C), that has the largest percentage of premium attributed to it under the insurance contract.	None
Utah	U.C.A. 1953 § 31A-3-305	None	None	(ii) If more than one insured from an affiliated group are named insureds on a single nonadmitted insurance contract, "home state" means the home state determined under Subsection (1)(b)(i) of the member of the affiliated group that has the largest percentage of premium attributed to it under the nonadmitted insurance contract.	(iii)(A) When a group policyholder pays 100% of the premium from its own money, "home state" means the home state determined under Subsection (1)(b)(i) of the group policy holder. (B) When a group policyholder does not pay 100% of the premium from its own money, "home state" means the home state determined under Subsection (1)(b)(i) of the group member.
Vermont	8 V.S.A. § 5022	(2) "Affiliate" means with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured.	None	(B) If more than one insured from an affiliated group are named insureds on a single non-admitted insurance contract, the term "home state" means the home state, as determined pursuant to subdivision (A) of this subsection (5), of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
Virginia	VA Code Ann. § 38.2-4805.2	None	None	When more than one insured from an affiliated group are named insureds on a single insurance contract, "home state" means the state of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	None
Washington					

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West Virginia	W. Va. Code St. R. 114-20-2	2.2. "Affiliate" means, with respect to an insured, any entity that controls, is controlled by, or is under common control with the insured. An entity has control over another entity if it directly or indirectly or acting through one or more persons owns, controls, or has the power to vote 25% or more of any class of voting securities of the other entity, or the entity controls in any manner the election of a majority of the directors or trustees of the other entity.	2.3. "Affiliated Group" means any group of entities that are all affiliated.	(4) Affiliated Groups.—If more than one insured from an affiliated group are named insureds on a single Nonadmitted Insurance contract, the term "Home State" means the Home State, as determined pursuant to subparagraph (A) of paragraph (1) of this subsection, of the member of the affiliated group that has the largest percentage of premium attributed to it under such insurance contract.	(5) Group Insurance. When the group policyholder pays 100% of the premium from its own funds, the term "HomeState" means the Home State, as determined pursuant to subparagraph (A) of paragraph (1) of this subsection, of the group policyholder. When the group policyholder does not pay 100% of the premium from its own funds, the term "Home State" means the Home State, as determined pursuant to subparagraph (A) of paragraph (1) of this subsection, of the group member.
Wisconsin	W.S.A. 618.40	None	(1) "Affiliated group" means all persons that control, are controlled by, or are under common control with, an insured.	(b) If more than one insured from an affiliated group are named insureds on a single surplus lines insurance contract, "home state" means the state, as determined under par. (a), of the member of the affiliated group that has the largest percentage of premium attributed to it under the insurance contract.	
Wyoming	W.S.1977 § 26-11-103	(viii) "Affiliate" means with respect to an insured, any entity that controls, is controlled by or is under common control with the insured;	(ix) "Affiliated group" means any group of entities that are all affiliated;	(B) If more than one (1) insured from an affiliated group are named insureds on a single nonadmitted insurance contract, the term "home state" means the home state, as determined pursuant to subparagraph (A) of this paragraph, of the member of the affiliated group that has the largest percentage of premium attributed to it under the insurance contract;	(C) When a group policyholder pays one hundred percent (100%) of the premium from its own funds, the term "home state" means the home state, as determined pursuant to subparagraph (A) of this paragraph, of the group policyholder. When a group policyholder does not pay one hundred percent (100%) of the premium from its own funds, the term "home state" means the home state, as determined pursuant to subparagraph (A) of this paragraph, of the group member.
<p><i>These materials are intended to serve as reference tools and should not be relied upon as definitive sources or as substitutes for your own thorough review of the applicable laws, regulations, rules, bulletins, or other materials published by relevant state or federal governments or agencies. These materials are also not a substitute for legal advice on the subject matter.</i></p>					
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