

**TITLE 114
LEGISLATIVE RULE
INSURANCE COMMISSIONER**

**SERIES 34
FILING FEES FOR PURCHASING GROUPS,
AND FOR RISK RETENTION GROUPS
NOT CHARTERED IN THIS STATE**

§114-34-1. General.

1.1. Scope. -- This legislative rule implements the provisions of W. Va. Code §§33-32-17 and 33-32-4 relating to all purchasing groups, and to risk retention groups not chartered in this State. The rule establishes the amounts of registration fees to be paid by both types of entities, as well as the amounts of annual financial statement filing fees to be paid by these risk retention groups. It also provides for increases in the fees for risk retention groups chartered in other jurisdictions that impose higher analogous fees on risk retention groups domiciled in West Virginia.

1.2. Authority. -- W. Va. Code §§33-2-10, 33-32-4 (f), and 33-32-17(e)

1.3. Filing Date. -- April 27, 1994

1.4. Effective Date. -- April 27, 1994

§114-34-2. Registration Fees for Purchasing Groups, and for Risk Retention Groups Not Chartered in this State.

2.1. Each purchasing group seeking to do business in this State, and each risk retention group not chartered in this State but seeking to do business in West Virginia, shall remit a two hundred dollar (\$200) processing fee upon the initial filing of registration materials with the Insurance Commissioner.

2.2. Each purchasing group already registered to do business in West Virginia, and each risk retention group not chartered in this state but already registered to do business here shall remit a fifty dollar (\$50) processing fee upon the filing of any registration materials modification with the Insurance Commissioner.

§114-34-3. Annual Financial Statement Filing Fees for Risk Retention Groups Not Chartered in this State.

Each risk retention group not chartered in this State, but registered or seeking to register with the Insurance Commissioner to do business as a risk retention group in West Virginia, shall remit a one hundred dollar (\$100) fee upon filing with the Commissioner its annual financial statement required by W. Va. Code §33-32-4(e)(1).

§114-34-4. Retaliatory Fee Increases for Risk Retention Groups Not Chartered in this State.

As provided in W. Va. Code §33-3-16(a), when another state charges a higher fee to West Virginia-domiciled risk retention groups than a fee set in Section 2 or 3 of this rule, a risk retention group chartered in that state and doing business or seeking to do business in West Virginia shall remit to the Insurance Commissioner the higher fee equivalent to the registration fee or annual statement filing fee, or its counterpart, which the other state charges to West Virginia- domiciled risk retention groups.

§114-34-5. Fees Designated for Insurance Department Operation.

All fees remitted by purchasing groups, and by risk retention groups not chartered in this State, pursuant to this rule are designated by W. Va. Code §33-3-13(b) for use by the Insurance Commissioner in operating the Insurance Department of this State.

§114-34-6. Severability.

If any provision of this rule or the application thereof to any person or circumstance is for any reason held invalid, the remainder of the rule and the application of that provision to other persons or circumstances shall not be affected thereby.