



Compliance Chart

Diligent Effort

State	DE Required	Declinations	Record (Type)	Responsibility	Manner	Submitted	Length of Retention	Exceptions	Export List (Date Updated)	Statute	Regulation	Additional Guidance
Alabama	Yes		No							Ala Code § 27-10-20		Bulletin NO. 2013-03
Alaska	Yes	3	Documentation	Retail agent and SL broker	Retained	15 days	Unspecified		3 AAC 25.040 (7-29-15)	Alaska Stat. § 21.34.020	3 AAC 25.035	
Arizona	Yes		No						A.R.S. § 20-409 (9-13-13)	A.R.S. § 20-407(2)		Circular Letter 2000-9, Question 5
Arkansas	Yes		No					Ark. Admin. Code 054.00.24-5(E)		AR Code § 23-65-305	Ark. Admin. Code 054.00.24-5	
California	Yes	3	Signed statement	SL broker	Filed with SLA and retained	60 days	18 months		CA Ins Code § 1763.1 (1-6-15)	CA Insurance Code 1763		Instructions for completing Diligent Effort Search Report
Colorado	Yes	3	Affidavit	Producer and SL broker	Retained		3 years			CSA 10-5-101 to 10-5-119	3 CCR Div. of Ins., 2-4-1	
Connecticut	Yes	3	Written statement	SL broker	Retained		Through policy period		C.G.S.A. § 38a-741(a) (2-25-14)	CGS §38a-741(b)(1)		Bulletin SL-4
Delaware	Yes	3	Signed statement	SL broker	Retained		5 years after policy issuance	18 Del.C. § 1905		18 Del.C. § 1912		Bulletin 18
District of Columbia	Yes		Affidavit	Unspecified	Filed	10th of each month for preceding month transactions				DC ST § 31-2502.40		
Florida	Yes	3	Affidavit	SL broker	Filed and retained	One month following each quarter for previous quarter		F.S.A. 627.062(3)(d) and F.S.A. 626.917 (1)		F.S.A. § 626.916	Fla. Admin. Code r. 69P-5.003	Diligent Effort/Surplus Lines Disclosure Matrix
Georgia	Yes		No					Ga. Code Ann., § 33-5-35		Ga. Code Ann., § 33-5-21		Bulletin 11-EX-3
Hawaii	Yes		Documentation	SL broker	Retained		5 years following the termination of contract	HRS § 431:8-300		HRS §431:8-301		Memorandum 2011-4E
Idaho	Yes	3	Affidavit (electronic)	SL Licensee	Filed and retained		5 years	I.C. § 41-1212.	I.C. § 41-1216 (9-28-15)	I.C. § 41-1214	IDAPA 18.01.65.19	
Illinois	Yes	3	Documentation	SL producer	Retained		Unspecified			215 ILCS 5/445	50 Ill. Adm. Code 2801.50 through 2801.70	
Indiana	Yes	3	Affidavit	Unspecified	Filed	20th day of each month for preceding month transactions				IC 27-1-15.8-4 (b) (4)		
Iowa	Yes		Documentation	Unspecified	Retained		5 years			I.C.A. § 515I.3		
Kansas	Yes		Affidavit	Excess lines agent	Filed	Before March 1 for preceding calendar year				K.S.A. 40-246b(b)	K.A.R. 40-8-7	
Kentucky	Yes		Affidavit	by SL broker	Filed					KRS § 304.10-040		
Louisiana	No		No							LSA-R.S. 22:432		
Maine	Yes		No					24-A M.R.S.A. § 2002-A(3)		24-A M.R.S.A. § 2004		Bulletin 414
Maryland	Yes	3	Affidavit	Unspecified	Filed	Within 45 days after month of			COMAR 31.03.06.10 (8-21-15)	MD Code, Insurance, § 3-306.1	COMAR 31.03.06.03	
Massachusetts	Yes		Affidavit	Special insurance broker	Filed	Within 20 days of procurement				M.G.L.A. 175 § 168A		
Michigan	Yes							M.C.L.A. 500.1910(3)(b)	M.C.L.A. 500.1910(4) (9-13-15)			
Minnesota	Yes		Documentation	Surplus lines licensee	Retained		5 years			M.S.A. §60A.201(3)(b)		
Mississippi	Yes	2	Affidavit	SL producer	Retained and filed with MSLA	30 days of the first of January and July	Term of the policy			Miss. Code Ann. § 83-21-19		
Missouri	Yes		No							V.A.M.S. 384.017	20 CSR 200-6.500	
Montana	Yes	3	Affidavit	Procuring or SL producer	Filed	60 calendar days of the effective date			MCA 33-2-322 (12-12-14)	MCA 33-2-302(2)(a)(iii)(A)		Requirements for Surplus Lines Insurers
Nebraska	Yes		Sworn statement	SL Licensee	Filed	2/15, 5/15, 8/15, 11/15 after the preceding quarter				Neb.Rev.St. § 44-5510		Frequently Asked Questions
Nevada	Yes		No						N.R.S. 685A.060 (3-19-12)	N.R.S. 685A.040		
New Hampshire	Yes		Sworn statement	Licensee	Filed	10th day of month for preceding month transactions				§ 405:25		
New Jersey	Yes	3	Affidavit or certification	Broker	Retained		5 years		N.J.A.C. 11:1-34.6 (2-21-14)	N.J.S.A. 17:22-6.43	N.J.A.C. 11:1-33.3	
New Mexico	Yes	4	Affidavit	Broker	Filed	Within 60 days of each calendar	3 years after policy expiration		Bulletin NO. 2015-007	N. M. S. A. 1978, § 59A-14-3		
New York	Yes	3	Affidavit	Broker	Filed with ELANY	45 days with declarations form			Bulletin No. 2013-16 (7-14-15)	McKinney's Insurance Law § 2118		
North Carolina	Yes		Acknowledgement	SL Licensee	Retained		5 years			N.C.G.S.A. § 58-21-15	11 NCAC 10.0718	
North Dakota	Yes		Affidavit	Unspecified	Filed	60 days			NDAC 45-09-01 Appendix I (7-1-12)	NDAC 45-09-01-03		
Ohio	Yes	5	Affidavit	Broker	Retained		5 years			ORS 3905.33		
Oklahoma	Yes		No					36 Okl.St. Ann. § 1106.1		36 Okl.St. Ann. § 1106.1		
Oregon	Yes		Signed statement	SL Licensee	Filed	90 days				ORS 735.425.		
Pennsylvania	Yes		Signed statement	Unspecified	Filed	45 days			31 Pa. Code § 124.6 (4-26-14)	40 P.S. § 991.1604		
Puerto Rico	Yes	5	Affidavit	Unspecified	Filed	At time of procurement				26 L.P.R.A. § 1007		
Rhode Island	Yes	3	Affidavit	Broker	Retained	Open for examination at all reasonable times	Not specified	Gen.Laws 1956, § 27-3-38(c.)	Gen.Laws 1956, § 27-3-38(c.)	Gen.Laws 1956, § 27-3-38(c.)	INSURANCE REGULATION 11(6)	
South Carolina	Yes	1	Submission	Broker	Filed	Unspecified				Code 1976 § 38-45-90(A)		
South Dakota	Yes		Affidavit	Broker	Filed	At time of procurement				SDCL § 58-32-16		
Tennessee	Yes		Affidavit	SL agent	Filed	30 days after end of the month which policy was placed				T. C. A. §56-14-106		
Texas	Yes		No							V.T.C.A., Insurance Code § 981.004		
Utah	Yes		Signed statement	SL broker	Filed	60 days after effective date			R590-171-5 (4-6-15)		R590-171-6	
Vermont	Yes		No							8 VSA § 5024		
Virginia	No		No							VA Code Ann. § 38.2-4811		
Washington	Yes		Documentation	SL broker	Filed	60 days after procurement				RCWA 48.15.040		
West Virginia	Yes		Affidavit (notarized)	SL Licensee	Filed	Annually			WV Code St. R. 114-20-7 (10-24-14)	§33-12C-5		
Wisconsin	No		No									
Wyoming	Yes	3	Signed statement	Licensed producer	Retained		5 years after termination of contract		W.S.1977 § 26-11-106	§26-11-104(a)(ii)		

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.

If you have any questions or notice any errors please contact State Relations Manager, John Meetz at john@napslo.org