

# Corporate Amendment Requirements for Foreign Insurance Companies

All fees are retaliatory. See State Filing Fees chart on NAIC's website for more information. Fees should be reported on Retaliatory Summary Sheet with the annual premium tax filing.

We do not need biographical affidavits or fingerprint cards with any corporate amendment application for a foreign company.

## Acquisition

1. Send a letter to the Division of Financial Surveillance notifying them of the acquisition. Include the names of the companies involved and date of acquisition.
2. If Financial Surveillance needs more information, they will contact the company.

## Adding Lines

1. File NAIC's Uniform Certificate of Authority Application (UCAA) electronically via I-Site and **mail** the following item(s) to our Legal Division:
  - a. The original certificate of authority (COA) issued to the company by Kansas. If you are unable to locate the original COA, submit an Affidavit of Lost Certificate of Authority.
2. If you are submitting the application by hardcopy, please submit hardcopy submissions to our Legal Division.

## Amended Articles

1. File NAIC's UCAA electronically via I-Site.
2. Amendments to the articles of incorporation must be certified as true and correct by the Commissioner of Insurance or Secretary of State from the state of domicile, pursuant to K.A.R. 40-1-5(a).
3. If you are submitting the application by hardcopy, please submit hardcopy submissions to our Legal Division.

## Amended Bylaws

1. File NAIC's UCAA electronically via I-Site.
2. Only Fraternal Order companies need to file certified amendments to their bylaws. These must bear an original certification by the Secretary or President of their company. These can be filed electronically via NAIC's I-Site.
3. If you are submitting the application by hardcopy only, please submit this to our Legal Division.
4. We **do not** need certified amended bylaws for foreign insurance companies. A copy of the bylaws should be submitted for our files

## Assumptions

Please contact our Financial Surveillance Division for more information.

## Canceling Certificate of Authority

Please contact our Financial Surveillance Division for more information.

## City Change

If a company is changing their city of domicile they need to submit the NAIC's UCAA and return their original Kansas COA to us. If they are unable to locate their original COA, they need to submit an Affidavit of Lost Certificate of Authority. **The application and COA can be sent directly to the applicable line division (P&C or Life).**

## Deleting Lines

Please contact our Financial Surveillance Division for more information.

## Mergers

1. File NAIC's UCAA electronically via I-Site and **mail** the following item(s) to the attention of our Legal Division:
  - a. Original COA issued to the merging company by Kansas so that we may cancel it. If you are unable to locate the original COA, you will need to submit an Affidavit of Lost Certificate of Authority.
2. In addition, we will need a copy of the merger agreement, **certified** by the surviving company's home state Commissioner of Insurance, as soon as one becomes available.
3. A Certificate of Assumption/Merger endorsement must be filed via SERFF.
4. Agents who intend to represent the surviving company will need to be recertified under the new name of the surviving company. Please contact our Producers Division on how to accomplish this.
5. If filing a hardcopy submission, please submit to our Legal Division

## **Name Change**

1. File NAIC's UCAA electronically via I-Site and **mail** the following item(s) to the attention of our Legal Division:
  - a. Return the original COA issued to the company by Kansas. If you are unable to locate the original COA, you will need to submit an Affidavit of Lost Certificate of Authority.
  - b. Confirmation from the company that it has not and will not transact any business in Kansas under the new name until an amended Kansas Certificate of Authority has been issued.
  - c. IRS Form W-9 is required by our Division of Accounts and Reports. You may access a copy of that form at the IRS website at <http://www.irs.gov/pub/irs-pdf/fw9.pdf> . The form should be submitted to the Legal Division.
2. If it is necessary for any agents who are presently certified in Kansas to be recertified under the new name, you will be contacted by the Producers Division.
3. A name change endorsement must be filed via SERFF.
4. If filing a hardcopy submission, please submit items to our Legal Division.

## **Redomestication**

1. File NAIC's UCAA electronically via I-Site and **mail** the following item(s) to the attention of our Legal Division:
  - a. Original Kansas COA. If you are unable to locate the original COA, you will need to submit an Affidavit of Lost Certificate of Authority.
2. If the address is changed from what is set forth on the company's policies presently on file in this department, it may be necessary to advise the Kansas policyholders of the new address. In addition, the company would need to file revised policy forms for our approval. If an address change endorsement is necessary, it must be filed in SERFF.
3. If filing a hardcopy submission, please submit items to our Legal Division.