



State of New Jersey

DEPARTMENT OF BANKING AND INSURANCE

DIVISION OF INSURANCE

OFFICE OF SOLVENCY REGULATION

PO BOX 325

TRENTON, NJ 08625-0325

TEL (609) 292-5350

FAX (609) 292-6765

PHIL MURPHY
Governor

SHEILA OLIVER
Lt. Governor

MARLENE CARIDE
Commissioner

February 18, 2020

To: Domestic Fire & Casualty Insurers

Re: Annual Statement Filings

Pursuant to N.J.S.A. 17:23-1, every insurer transacting business in this State must file with the New Jersey Department of Banking and Insurance ("the Department") on or before **March 1**, annually, a statement showing its financial condition as of and for the preceding year ending **December 31**. The annual statement must be in the National Association of Insurance Commissioners ("NAIC") approved format and properly bound. All appropriate supplemental exhibits and schedules must be submitted by the NAIC due dates. In addition, as noted in Bulletin No. 00-08, insurers are advised that to the extent that there are differences between the requirements set forth in the Accounting Practices and Procedures Manual and any applicable New Jersey statute or rule, insurers should continue to comply with the applicable New Jersey statute or rule. Please review Bulletin No. 00-08 and the chart of New Jersey prescribed differences from SSAP. Late filings will be subject to the penalties imposed by N.J.S.A. 17:23-2. Carefully review the enclosed annual statement checklist, as some of the instructions listed on the checklist are not duplicated in this letter.

The Jurat Page of the annual statement must be subscribed and sworn to by the president and secretary or, in their absence, two of the principal officers. The Jurat Page must bear original signatures and must be manually signed by the appropriate corporate officers, have the corporate seal affixed thereon where appropriate, and be properly notarized. The absence of the signature of the president or the secretary must be fully explained.

Insurers must file with the Department three copies of the annual statement filing, including its supplemental exhibits and schedules.

SCHEDULE T

The workers' compensation portion of the homeowners' multiple peril premium must be reported on the New Jersey State Business Page (Exhibit of Premiums and Losses – Business in the State of New Jersey), line 16 (workers' compensation), **not** on line 4 (homeowners' multiple peril). This requirement pertains to any annual statement exhibit, schedule or supplement that distinguishes lines of business.

Visit us on the Web at dobi.nj.gov

New Jersey is an Equal Opportunity Employer • Printed on Recycled Paper and Recyclable

Pursuant to N.J.A.C. 11:3–28.9(a), for the purposes of completing the New Jersey State Business Page, the insurer must include the total amount of losses, including those in excess of \$75,000, for private passenger automobile and commercial automobile personal injury protection payments (lines 19.1 and 19.3). Insurers must also provide a footnote on the same page that indicates the amount of losses reported, excluding losses from payments of private passenger automobile and commercial automobile personal injury protection payments in excess of \$75,000.

Pursuant to the provisions of the Fair Automobile Insurance Reform Act (P.L. 1990, Chapter 8), certain lines of business are subject to a tax and/or assessment (“assessment”). Accordingly, to ensure an accurate assessment, the data filed with the NAIC must be consistent with the data filed with the State of New Jersey. In addition, the New Jersey State Business Page filed with the NAIC, and the State of New Jersey, must be identical and reflect all New Jersey reporting requirements.

Furthermore, to properly classify those lines of business subject to the aforementioned assessment, insurers are required to provide a detailed description of certain insurance coverages currently presented on the “Exhibit of Premiums and Losses”, of the annual statement.

Line 34: Aggregate Write–Ins for other lines of business

Line 34 Aggregate Write–Ins are often required for specific purposes. To ensure this section is used for the purposed intended, any insurance business listed under Line 34 requires a detail explanation of the insurance risk involved and the line from which it originated. For example, a write–in line for Excess Workers’ Compensation Insurance which, were it not broken out, would have been included in Other Liability, would be shown as follows:

3401. Excess Workers’ Compensation Insurance (Line 17.3)

Other lines – Guaranty Fund Assessments

For purposes of the New Jersey Property Liability Insurance Guaranty Association, the following lines must be separately identified in the “Exhibit of Premiums and Losses” under the section pertaining to “Details of Write–ins”. If the lines listed below are not separately listed, they will be subject to the assessment.

The lines to list separately, starting at line 3401 on the State Business Page, are as follows:

1. Mechanical Breakdown (“warranty” instruments only)
2. Political Risk
3. Residual Value
4. Collateral Protection – Consumer Lending, Personal Property, Auto Floorplan Inventory and Tractor and Equipment Floorplan
5. Hospital Deductible
6. Nuclear

7. Miscellaneous Surety
8. Private Passenger Death and Dismemberment

This is not an all-inclusive list. The criteria for including a line in the assessment base depends on whether the line is covered by the New Jersey Property–Liability Insurance Guaranty Association (“NJPLIGA”). See N.J.S.A. 17:30A-2b. Policies written for these covered lines may represent unique coverages. Therefore, these policy forms, unless already evaluated, are subject to review by NJPLIGA. Once this review is completed, the Department will issue a determination concerning the inclusion or exclusion of the business in question from the assessment. Subsequent to the Department’s receipt of the annual Statement filing, and if applicable, the insurer will be notified of any requirements to file a new policy form.

ACTUARIAL OPINION

In accordance with N.J.A.C. 11:1–21.3, all property and casualty insurers must annually submit the opinion of an appointed actuary entitled “Statement of Actuarial Opinion”, regarding the adequacy of loss and loss adjustment expense reserves for all lines of business. The Statement of Actuarial Opinion must be filed in accordance with the appropriate NAIC Property and Casualty annual statement Instructions. **New Jersey domestic insurance companies must submit an opinion with an original signature.**

SCHEDULE F

Pursuant to N.J.A.C. 11:3–28.9(b), for purposes of completing Schedule F of the annual statement, insurers must consider the assumption and reimbursement by NJPLIGA of private passenger automobile and commercial automobile personal injury protection payments in excess of \$75,000 as a reinsurance transaction (the NAIC has assigned NJPLIGA the pool number of AA–9991160). Insurers must consider assessments paid to NJPLIGA pursuant to N.J.S.A. 39:6-63, based on the insurer’s premiums for private passenger automobile liability insurance (including PIP) and commercial automobile liability insurance (including PIP) as ceded premium, prorated for the appropriate line of business on which the assessment was based.

AMENDMENTS

Any amendment to an annual statement filing (including the New Jersey State Business Page) must be filed with the NAIC and the State of New Jersey on a timely basis. This is to ensure that the database remains accurate and up-to-date.

QUARTERLY STATEMENT FILINGS

Every domestic insurer transacting business in this State must file with this Department quarterly, on or before **May 15, August 15, and November 15, three copies** of a statement

showing its financial condition as of and for the preceding quarter. The quarterly statement must be in the NAIC approved format. Each company is responsible for implementing any changes required by the NAIC.

PREMIUM TAX

A premium tax is imposed by N.J.S.A. 54:18A-1 et seq. on all direct premiums written on New Jersey business. Premiums must be reported annually on or before **March 1 on forms supplied by the Division of Taxation.** Except for fire insurance premium taxes, that are payable to the Firemen's Association on local fire districts, **all taxes are to be submitted to the Director of the Division of Taxation** and made payable to the **State Treasurer of New Jersey.**

The Firemen's Relief Association has identified all fire districts with an association code number. Accordingly, all taxes must be allocated to a valid local fire district code. As a reminder, insurers are not permitted to allocate fire insurance premium taxes to a 999 code for local fire districts not activated. A current listing of the codes may be obtained from:

New Jersey State Firemen's Association
Attn: Barry Osborn
1711 Route 34 South
Wall Township, NJ 07727
(732) 798-8137

BIOGRAPHICAL AFFIDAVITS

Within forty-five (45) days of the date of an **officer's or director's appointment or election**, the company must provide to the Department, the officer's or director's biographical affidavit duly executed on Form 11 NAIC Biographical Affidavit. The form is available on the NAIC website (at https://www.naic.org/industry_ucaa.htm). In addition, the company must notify the Department, within forty-five (45) days, of the date of an officer's or director's death, resignation or termination.

Please mail all notifications to the Department, at the address below.

New Jersey Department of Banking and Insurance
Office of Solvency Regulation
Admissions Unit, Attn: Biographical Affidavits
P.O. Box 325
Trenton, NJ 08625

Rev. 02.2020