

**304.45-060 Requirements for eligibility for charter of out-of-state groups.**

- (1) A purchasing group which intends to do business in this state shall, prior to doing business, furnish notice to the commissioner which shall:
  - (a) Identify the state in which the purchasing group is domiciled;
  - (b) Specify the kinds and classification of liability insurance which the purchasing group intends to purchase;
  - (c) Identify the insurance company or companies from which the purchasing group intends to purchase its insurance and the domicile or domiciles of such insurance company or insurance companies;
  - (d) Specify the method by which and the person or persons, if any, through whom insurance will be offered to its members whose risks are resident or located in this state;
  - (e) Identify the principal place of business of the purchasing group; and
  - (f) Provide such other information as may be required by the commissioner to verify that the purchasing group is qualified under KRS 304.45-020(10) and is otherwise in compliance with the laws of this state.
- (2) A purchasing group shall, within ten (10) days, notify the commissioner of any changes in any of the items set forth in subsection (1) of this section.
- (3) The purchasing group shall register with and designate the Secretary of State as its agent solely for the purpose of receiving legal documents or process, except that such requirement shall not apply in the case of a purchasing group:
  - (a) Which in any state of the United States:
    1. Was domiciled before April 1, 1986; and
    2. Is domiciled on and after October 27, 1986;
  - (b) Which:
    1. Before October 27, 1986, purchased insurance from an insurer licensed in any state; and
    2. Since October 27, 1986, purchased its insurance from an insurer licensed in any state;
  - (c) Which was a purchasing group under the requirements of the Product Liability Risk Retention Act of 1981 (P.L. 97-45) before October 27, 1986; and
  - (d) Which does not purchase insurance that was not authorized for purposes of an exemption under that act, as in effect before October 27, 1986.
- (4) Any purchasing group which was doing business in this state prior to July 13, 1990, shall, within thirty (30) days after July 13, 1990, furnish notice to the commissioner pursuant to the provisions of this subtitle and furnish the information required pursuant to this subtitle.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 1576, effective July 15, 2010. -- Amended 1994 Ky. Acts ch. 92, sec. 9, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 165, sec. 6, effective July 13, 1990. -- Created 1986 Ky. Acts ch. 308, sec. 6, effective July 15, 1986.