CALIFORNIA CODE OF REGULATIONS
TITLE 10. INVESTMENT
CHAPTER 5. INSURANCE COMMISSIONER
SUBCHAPTER 2. POLICY FORMS AND OTHER DOCUMENTS
SUBCHAPTER 2. POLICY FORMS AND OTHER DOCUMENTS
ARTICLE 1. DOCUMENT SUBMISSION AND APPROVAL PROCEDURES; FEES
SUBCHAPTER 3. INSURERS
ARTICLE 1.5 CORPORATE AFFAIRS BUREAU – ELECTRONIC FILING

Proposed changes to the regulation are shown as follows:

1) Changes proposed in the July 30, 2010 notice are shown in ~~single strikethough~~ and single underline;

2) Changes proposed in the November 10, 2010 15-day notice are shown in ~~double strikethough~~ and double underline

CALIFORNIA CODE OF REGULATIONS
TITLE 10. INVESTMENT
CHAPTER 5. INSURANCE COMMISSIONER

SUBCHAPTER 2. POLICY FORMS AND OTHER DOCUMENTS
ARTICLE 1. DOCUMENT SUBMISSION AND APPROVAL PROCEDURES; FEES

AMEND SECTION 2201. DEFINITIONS

As used in this Article:

(a) "Document" includes but is not limited to every form of contract, insurance policy, application, enrollment form, rider, endorsement, amendment, insert policy page, certificate or other evidence or notice of insurance, fill-in material, text cell, schedule of rates and classification of risks except for workers' compensation insurance, advertisement and any modification thereto which is required by law to be filed or approved and which pertains to coverages defined in Ins. C. §§ 101, 106 and 109.

(b) "Fee" means the fee charged by the Commissioner for the filing or approval of documents subject to this Article.

(c) "Application" means a document used to apply for or request individual or group insurance coverage which contains medical or economic questions designed to determine the rating class or the eligibility for coverage of one or more persons and which is not an "enrollment" form. This definition shall not apply to "application" as it may be used in any other statute or regulation.

(d) "Enrollment Form" means a document used to apply for or request individual or group insurance coverage which contains no questions about an individual's health status or eligibility for coverage except that it may inquire about age, family status, dependency or current or past employment. A document to be used by a master-policy-holder to apply for or request group insurance is an "enrollment form" for the purposes of these regulations, provided that no information concerning the health of any persons to be covered is solicited. This definition shall not be used to interpret the word "application" as it may be used in any other statute or regulation.

(e) "Rider/insert page" means a document of one or more pages of text, identified by a single form number, which is physically added to or inserted into another document, such as a policy, certificate, application or other rider.

(f) “SERFF” means the System for Electronic Rate and Form Filing (www.serff.com), an Internet-based system for file submission, review, disposition, and storage operated by the National Association of Insurance Commissioners.

~~(f)~~ (g) "Text cell" means a block of text not to exceed one paragraph in length, which is identified for

filing purposes by a form number and which is printed with other similarly-identified blocks of text to comprise documents such as policies and certificates. A text cell exceeding one paragraph in length or a list of words or phrases to be inserted into a waiver rider is considered to be a "rider/insert page". Where multiple text cells are filed on a single page, the total fee for the cells on that page shall not exceed the fee for a rider/insert page.

Note: Authority cited: Sections 742.43, 779.21, 10191, 10195.1, 10234, 10327, 10506, 10704 and 12973.9, California Insurance Code. Reference: Sections 742.42, 779.8, 795.5, 1320, 9080.1, 10112.5, 10163.3, 10163.35, 10168.93, ~~10195.1, 10195.45, 10195.65~~, 10192.14, 10192.15, 10192.19, 10205, 10225, 10231.6, 10232, 10233.9, 10234.9, 10234.93, 10234.97, 10236.11, 10236.13 10270, 10270.1, 10270.2, 10270.3, 10270.5, 10270.507, 10270.57, 10270.9, 10270.93, 10290, 10292, 10436, 10489.93, 10506, 10705, 10717, 11011, 11027, 11029, 11066, 11069, 11522, 11658 and 12250, California Insurance Code.

HISTORY

1. Amendment of subsection (a), new subsections (c)-(f) and repealer and new Note filed 8-26-96 as an emergency; operative 9-3-96 (Register 96, No. 35). A Certificate of Compliance must be transmitted to OAL by 1-2-97 or emergency language will be repealed by operation of law on the following day.

2. Certificate of Compliance as to 8-26-96 order, including amendment of Note, transmitted to OAL 12-27-96 and filed 2-11-97 (Register 97, No. 7).

AMEND SECTION 2205. COVER LETTER

All document submissions must be accompanied by a cover letter ~~in duplicate~~. The cover letter shall contain the following information.

(a) The form number(s) of one or more of the documents submitted by which the entire submission can be identified.

(b) The subdivision of Section 2202(a) which best describes the forms submitted and whether the forms are group, individual or are to be used in both contexts.

(c) Where the forms submitted provide hospital, medical or surgical coverage through employment, the minimum and the maximum sizes of the employers in terms of number of employees.

(d) Whether each document replaces a previously filed or approved document.

(e) Whether each document is in draft or printer's proof, or is in the final printed form in which it will be distributed to insureds.

(f) For each document (such as a rider) which is designed to be used with another document (such as a policy) not included in the submission, a statement of the type of documents with which it is to be

used.

(g) Where a certificate is submitted for use with a previously approved "group" document, the form number and the filing or approval date of the previously approved group document.

(h) Should the submitter be unable to furnish the information requested in subdivisions (a) through (g) of this section, then the cover letter shall contain an explanation of why such information cannot be supplied.

~~(i) The cover letter shall be accompanied by a stamped, self-addressed business-size return envelope.~~

~~(j) Submitters wishing to receive acknowledgement of the Policy Approval Bureau's receipt of their submissions must include a self-addressed, postage pre-paid postcard or letter which the Bureau will return when it receives the submission. Acknowledgments must be drafted so that Department personnel need only enter dates of receipt before mailing; the Department will not telephone acknowledgements nor return acknowledgements by facsimile.~~

Note: Authority cited: Sections 742.43, 779.21, 10191, 10195.1, 10234, 10327, 10506, 10704 and 12973.9, California Insurance Code. Reference: Sections 742.42, 779.8, 795.5, 1320, 9080.1, 10112.5, 10163.35, 10168.93, ~~10195.1, 10195.45~~, 10192.14, 10192.15, 10192.19, 10205, 10225, 10231.6, 10232, 10233.9, 10234.9, 10234.93, 10234.97, 10236.11, 10236.13 10270, 10270.1, 10270.2, 10270.3, 10270.5, 10270.507, 10270.57, 10270.9, 10270.93, 10290, 10292, 10436, 10506, 10705, 10717, 11011, 11027, 11029, 11066, 11069, 11522, 11658 and 12250, California Insurance Code.

HISTORY

1. Repealer of former section 2205 and renumbering of former section 2206 to section 2205, including amendment of section and repealer and new Note, filed 2-11-97; operative 3-13-97 (Register 97, No. 7).

AMEND SECTION 2206 MAILING ADDRESS

~~§ 2206. Mailing Address~~

~~(a) Submissions of documents described in subdivisions (1) through (11) of Section 2202(a), except for subdivision (4)(C), shall be addressed to:~~
~~California department of insurance~~
~~policy approval bureau~~
~~45 fremont street~~
~~san Francisco ca 94105~~

~~(b) Submissions of documents described in subdivisions (4)(C), (12) and (13) of Section 2202(a) shall be addressed to:~~
~~California department of insurance~~

~~office of the chief actuary~~
~~300 south spring street~~
~~los angeles ca 90013~~

~~(c) Submissions of documents described in subdivisions (14) through (16) of Section 2202(a) shall be addressed to:~~
~~California department of insurance~~
~~corporate affairs bureau~~
~~45 fremont street~~
~~san Francisco ca 94105~~

SECTION 2206. ELECTRONIC FILING

Effective ~~January 1~~, April 1, 2011, all submissions of documents described in Section 2202(a) shall be submitted electronically through SERFF, except as provided in section 2218.

Note: Authority cited: Sections 742.43, 779.21, 10191, 10195.1, 10234, 10327, 10506, 10704 and 12973.9, California Insurance Code. Reference: Sections 742.42, 779.8, 795.5, 1320, 9080.1, 10112.5, 10163.35, 10168.93, ~~10195.1, 10195.45, 10195.65~~, 10192.14, 10192.15, 10192.19, 10205, 10225, 10231.6, 10232, 10233.9, 10234.9, 10234.93, 10234.97, 10236.11, 10236.13 10270, 10270.1, 10270.2, 10270.3, 10270.5, 10270.507, 10270.57, 10270.9, 10270.93, 10290, 10292, 10436, 10506, 10705, 10717, 11011, 11027, 11029, 11066, 11069, 11522, 11658 and 12250, California Insurance Code.

HISTORY

1. Renumbering and amendment of former section 2206 to section 2205 and new section 2206 filed 2-11-97; operative 3-13-97 (Register 97, No. 7).

AMEND SECTION 2207. NUMBER OF COPIES REQUIRED

~~Only one copy of each document need be submitted except as otherwise provided in Section 2214; documents described in Section 2202(a)(12) shall be filed in duplicate.~~ Only those documents in the final printed form in which they will be issued will be formally approved or accepted for filing by the Commissioner.

Note: Authority cited: Sections 742.43, 779.21, 10191, 10195.1, 10234, 10327, 10506, 10704 and 12973.9, California Insurance Code. Reference: Sections 742.42, 779.8, 795.5, 1320, 9080.1, 10112.5, 10163.35, 10168.93, ~~10195.1, 10195.45, 10195.65~~, 10192.14, 10192.15, 10192.19, 10205, 10225, 10231.6, 10232, 10233.9, 10234.9, 10234.93, 10234.97, 10236.11, 10236.13 10270, 10270.1, 10270.2, 10270.3, 10270.5, 10270.507, 10270.57, 10270.9, 10270.93, 10290, 10292, 10436, 10506, 10705, 10717, 11011, 11027, 11029, 11066, 11069, 11522, 11658 and 12250, California Insurance Code.

HISTORY

1. Amendment of section and repealer and new Note filed 2-11-97; operative 3-13-97 (Register 97, No. 7).

AMEND SECTION 2216. DOCUMENT SUBMISSION FORMSETS

(a) Submissions of all documents described in subdivisions (1) through (11) of Section 2202(a) shall include ~~three-part~~ Document Submission Formsets. Submitters ~~shall provide their own supply of these formsets and~~ shall complete ~~them~~ the Formset according to the instructions on the Specimen Document Submission Formset distributed with Department of Insurance Bulletin 94-6, dated July 5, 1994, available from the Department. The "Submitter and Complete Mailing Address" must be kept within the heavily-bordered box ~~to match the Department's window envelopes~~. The "Submitter" is the person who should receive notice of Department action on the filing.

~~Document Submission Formsets shall be printe vertically on 8 1/2 inch by 11 inch paper following the exact format and content of the Specimen Document Submission Formset. Formsets must be printed on "No Carbon Required" paper or be interleaved with carbon paper, so that Department entries will print through to all copies. Formsets assembled from photocopies of the first sheet, without carbon paper interleaved, are unacceptable.~~

~~The Commissioner may note disapprovals or nonacceptances for filing on a copy of the Document Submission Formset returned to the submitter or by letter. Where a document has been rejected by notation on a Document Submission Formset, a new, properly-completed Document Submission Formset must be included if the document is resubmitted. Upon Approval or Acknowledgement for Filing, the Commissioner shall return one copy of the Document Submission Formset to the submitter. The Commissioner shall indicate his action on each document submitted in the appropriate column adjacent to the form number of the document in accordance with Section 2217.~~

(b) Documents described in different subdivisions of Section 2202(a) of this Article shall not be submitted with the same Document Submission Formset. Forms intended for use in both group and individual products shall be submitted only as individual forms, except where the individual form is not subject to filing; forms intended for use in both life and disability products shall be submitted only as disability forms.

(c) Document Submission Formsets accompanying rate filings shall display the form numbers of the documents to which the rates apply in the "Document Form Number" column and "Rates" in the "Doc Type" column.

(d) The Commissioner reserves the right to require Document Submission Formsets with submissions of any other documents which must be submitted for action. Such requirement may be imposed by prior notice to affected submitters by Bulletin, Notice or letter.

~~(e) The copy of the Document Submission Formset returned to the submitter by the Commissioner is~~

~~the submitter's only evidence of the Commissioner's action on filings subject to this Section. Any conditions to the Commissioner's action may be noted either on the Formset or in a letter referred to on the Formset.~~

Note: Authority cited: Sections 742.43, 779.21, 10191, 10195.1, 10234, 10327, 10506, 10704 and 12973.9, California Insurance Code. Reference: Sections 742.42, 779.8, 795.5, 1320, 9080.1, 10112.5, 10163.35, 10168.93, ~~10195.1, 10195.45~~, 10192.14, 10192.15, 10192.19, 10205, 10225, 10231.6, 10232, 10233.9, 10234.9, 10234.93, 10234.97, 10236.11, 10236.13 10270, 10270.1, 10270.2, 10270.3, 10270.5, 10270.507, 10270.57, 10270.9, 10270.93, 10290, 10292, 10436, 10506, 10705, 10717, 11011, 11027, 11029, 11066, 11069, 11522, 11658 and 12250, California Insurance Code.

HISTORY

1. Renumbering of former section 2216 to section 2216(e) and renumbering of former section 2215 to section 2216(a)-(d), including amendment of section heading and section and repealer and new Note filed 2-11-97; operative 3-13-97 (Register 97, No. 7).

AMEND SECTION 2217. DEFINITIONS OF ACTIONS ON SUBMISSIONS.

(a) “Issue Authorized” (abbreviated as “AUT” on Document Submission Formsets) indicates that a document subject to prior approval maybe lawfully issued after the date of authorization.

(b) “Acknowledged for Filing” (abbreviated as “ACK”) indicates that a document which must be filed with but not approved by the Commissioner may be issued or used after the date upon which it is Acknowledged for Filing.

(c) “Disapproved” (abbreviated as “DIS”) indicates that a document subject to prior approval is defective and that its issue or use is unlawful.

(d) “Unacceptable for Filing” (abbreviated as “UFF”) indicates that a document which must be filed with but not approved by the Commissioner is technically defective and its issue or use may be contrary to law.

(e) “Unobjectionable as to Text” (abbreviated as “UAT”) indicates that a document subject to prior approval is free from substantive defect but its use or issue is unlawful either because it is not in final form or because another document with which it is to be used has not been Issue Authorized or Acknowledged for Filing.

(f) “Pending” (abbreviated as “PEN”) indicates that a submission is incomplete and additional information or material is required before the Commissioner can take further action.

(g) “No Action” (abbreviated as “NAC”) indicates that the document submitted is not required to be ~~either filed with or~~ approved by the Commissioner.

(h) “Withdrawn” (abbreviated as “WIT”) indicates that the submitter has withdrawn a document from further processing by the Commissioner. Submissions which the Commissioner has “Disapproved” or deemed to be “Unacceptable for Filing”, “Unobjectionable as to Text” or “Pending”, and which have not been resubmitted for further processing within six months of such action, shall be deemed to have been withdrawn by the submitter.

(i) “Filing Not Required” (abbreviated as “FNR”) indicates that the document submitted is not required to be filed with the Commissioner.

(j) “No Objection” (abbreviated as “NOJ”) indicates that the Commissioner does not assert an objection as to the document submitted.

(j) “Authorized Without Review” (abbreviated as “AWR”) indicates a submission authorized without review pursuant to Insurance Code section 10191(d)(1) and title 10, California Code of Regulations, section 2218.4.

Note: Authority cited: Sections 742.43, 779.21, 10191, 10195.1, 10234, 10327, 10506, 10704 and 12973.9, California Insurance Code. Reference: Sections 742.42, 779.8, 795.5, 1320, 9080.1, 10112.5, 10163.35, 10168.93, ~~10195.1, 10195.45~~, 10192.14, 10192.15, 10192.19, 10205, 10225, 10231.6, 10232, 10233.9, 10234.9, 10234.93, 10234.97, 10236.11, 10236.13 10270, 10270.1, 10270.2, 10270.3, 10270.5, 10270.507, 10270.57, 10270.9, 10270.93, 10290, 10291, 10292, 10436, 10506, 10705, 10717, 11011, 11027, 11029, 11066, 11069, 11522, 11658 and 12250, California Insurance Code.

HISTORY

1. Amendment of subsections (a)-(g), new subsection (h) and repealer and new Note filed 2-11-97; operative 3-13-97 (Register 97, No. 7).

AMEND SECTION 2218. WORKERS' COMPENSATION FORMS AND RATES

(a) Effective July 1, 2011 ~~A~~ all workers' compensation insurance forms must be submitted ~~in duplicate~~ through SERFF to the Workers' Compensation Insurance Rating Bureau of California for preliminary inspection. The Bureau shall review such forms and submit them to the Commissioner for final action.

(b) Workers' compensation rates shall be filed through SERFF as provided in § 2509.30, et seq, of this Chapter.

Note: Authority cited: Sections 10191, 11658 and 11659 Insurance Code. Reference: Sections 11658, 11659 and 11735, Insurance Code; and Section 2509.30, et seq, Code of Regulations, Title 10.

HISTORY

1. Amendment filed 1-21-81; effective thirtieth day thereafter (Register 81, No. 4).

2. Amendment filed 12-30-83; designated effective 1-1-84 pursuant to Government Code Section 11346.2 (d) (Register 84, No. 1).

3. Amendment of section heading and section and repealer and new Note filed 2-11-97; operative 3-13-97 (Register 97, No. 7).

AMEND SECTION 2218.5. FILING PROCEDURE; APPROVALS; DISAPPROVALS

(a) All submissions are to include:

(1) A cover letter complying with § 2205.

(2) A Document Submission Formset complying with § 2216 and one copy of all relevant Certificates of Compliance set forth in Section 2218.9 below. When a submission does not contain a policy, one or more documents may be submitted under one Certificate of Compliance and the Document Submission Formset shall indicate the policy forms or category of forms with which each document will be used, and the Certificate shall be marked to indicate which affirmations are relevant to which document. When a submission contains a policy, only that policy and its related forms may be included.

(3) One copy of the submitted forms if the documents do not vary from applicable statutes or regulations, or two copies if there are any substantive variations. All such variations are to be clearly marked or indicated on both copies and where not inconsistent with this regulation shall be filed in conformity with Sections 2200 - 2217.

(b)(1) Except as provided in Section 2218.10, group and blanket life and group disability forms shall be approved for use without review when accompanied by a Certificate or Certificates of Compliance which conform with the requirements of this regulation. The date of approval for use will be the date stamped by the Insurance Department on the copy of the Document Submission Formset returned to the insurer. When such forms are approved for use under Section 10191, one copy of the Document Submission Formset will be returned to the insurer with that fact and the filing charges and invoice number indicated thereon.

(2) If such forms are not approved for use, ~~that fact will be indicated on the copy of the Document Submission formset and~~ the objections to approval will be noted ~~either by letter or~~ through SERFF ~~or on one copy of the Document Submission Formset or on the second copy of such forms~~ and returned to the insurer, and the Department shall specify the reasons the submitted forms do not comply with the particular sections of the statutory provisions or regulations or guidelines.

Note: Authority cited: Sections 742.43, 779.21, 10191, 10195.1, 10234, 10327, 10506, 10704 and 12973.9, California Insurance Code. Reference: Sections 742.42, 779.8, 795.5, 1320, 9080.1, 10112.5, 10163.35, 10168.93, ~~10195.1, 10195.45, 10195.65~~, 10192.14, 10192.15, 10192.19, 10205, 10225, 10231.6, 10232, 10233.9, 10234.9, 10234.93, 10234.97, 10236.11, 10236.13 10270, 10270.1, 10270.2, 10270.3, 10270.5, 10270.507, 10270.57, 10270.9, 10270.93, 10290, 10292, 10436, 10506, 10705, 10717, 11011, 11027, 11029, 11066, 11069, 11522, 11658 and 12250, California Insurance Code.

HISTORY

1. Amendment of section and new Note filed 2-11-97; operative 3-13-97 (Register 97, No. 7).

AMEND SECTION 2218.6. SUBSEQUENT REVIEW OF APPROVED FORMS

Documents which are returned to the insurer by the Department as approved and filed for use under Section 10191, as provided in Section 2218.5 (b) (l) of this regulation, may be subsequently reviewed by the Insurance Commissioner when ~~he~~ the Commissioner deems necessary. The review by the Commissioner shall be based upon the guidelines in effect on the date the document was filed.

TITLE 10. INVESTMENT
CHAPTER 5. INSURANCE COMMISSIONER
SUBCHAPTER 3. INSURERS
[Note: This Entire Article is New.]
ARTICLE 1.5 CORPORATE AFFAIRS BUREAU – ELECTRONIC FILING

ADOPT SECTION 2277.5 Purpose

The purpose of these regulations is to reduce the use of paper in transactions between filers and the Department, and thereby improve the efficiency of the Department's operations. It is intended to enable personnel to access files from different locations without the cost and delay of transporting paper files and to speed communication between filers and the department.

The duties and discretion of the Insurance Commissioner conferred upon him by statute with respect to the procedures for the submission of corporate applications are not and cannot be exhausted by these regulations.

NOTE: Authority cited: Sections 720, 1215.8, 12921(c), 1652, 10113.2, 11520.5, 11694.5, 12161, 12389(a)(3) Insurance Code; *CalFarm Insurance Company v. Deukemjian* (1989) 48 Cal.3d 805; *20th Century Insurance Company v. Garamendi* (1994) 8 Cal.4th 216. Reference: Sections 131, *et seq.*, 717, *et seq.*, 810, 827, 880, *et seq.*, 922.4, 922.5, 1011(c), 1104.9, 1215, *et seq.*, 1652, 1765, 10113.2, 11520, *et seq.*, 11691, *et seq.*, 12160, *et seq.*, 12250, *et seq.*, 12389, *et seq.*, Insurance Code.

ADOPT SECTION 2277.51 Definitions

As used in this article:

(a) "Corporate applications" means applications, registrations, notices, reports, or other material that filers submit to the Department's Corporate Affairs Bureau and/or to the Department's Financial Analysis Division.

(b) "Department" means the California Department of Insurance.

(c) "Electronic filing" means the electronic transmission of corporate applications in electronic form.

(d) "Filer" means the insurer, licensee or other organization that is the subject of the filing.

(e) "NAIC" means the National Association of Insurance Commissioners.

(f) "OASIS" means the department's Online Assistance System for Insurer Submittals (or successor).

(g) "UCAA" means the NAIC's Uniform Certificate of Authority Application (or successor). This includes the three UCAA types.

(1) The Primary Application, for use by newly-formed companies seeking a Certificate of Authority in their domicile state and by companies wishing to re-domesticate to a uniform state.

(2) The Expansion Application, for use by companies in good standing in their state of domicile that wish to expand their business into a uniform state.

(3) The Corporate Amendments Application, for use by an existing insurer for requesting amendments to its certificate of authority.

NOTE: Authority cited: Sections 720, 1215.8, 12921(c), 1652, 10113.2, 11520.5, 11694.5, 12161, 12389(a)(3) Insurance Code; *CalFarm Insurance Company v. Deukemjian* (1989) 48 Cal.3d 805; *20th Century Insurance Company v. Garamendi* (1994) 8 Cal.4th 216. Reference: Sections 131, *et seq.*, 717, *et seq.*, 810, 827, 880, *et seq.*, 922.4, 922.5, 1011(c), 1104.9, 1215, *et seq.*, 1652, 1765, 10113.2, 11520, *et seq.*, 11691, *et seq.*, 12160, *et seq.*, 12250, *et seq.*, 12389, *et seq.*, Insurance Code.

ADOPT SECTION 2277.52 Electronic Filing

(a) Effective on ~~January 1~~, April 1, 2011, all filers, unless exempted under section 2277.54 or otherwise, shall use electronic filing for corporate applications. The electronic filing shall be made by means of the Department's OASIS system or the NAIC's online UCAA system, as appropriate.

(b) Corporate applications submitted electronically have the same legal effect as corporate applications submitted in paper form. The duties and the discretion of the Insurance Commissioner conferred by statute to ensure the proper form and content of corporate applications are not exhausted by these regulations.

(c) Corporate applications submitted electronically do not alter any filing deadlines.

NOTE: Authority cited: Sections 720, 1215.8, 12921(c), 1652, 10113.2, 11520.5, 11694.5, 12161, 12389(a)(3) Insurance Code; *CalFarm Insurance Company v. Deukemjian* (1989) 48 Cal.3d 805; *20th Century Insurance Company v. Garamendi* (1994) 8 Cal.4th 216. Reference: Sections 131, *et seq.*, 717, *et seq.*, 810, 827, 880, *et seq.*, 922.4, 922.5, 1011(c), 1104.9, 1215, *et seq.*, 1652, 1765, 10113.2, 11520, *et seq.*, 11691, *et seq.*, 12160, *et seq.*, 12250, *et seq.*, 12389, *et seq.*, Insurance Code.

ADOPT SECTION 2277.53 Signature Page Originals

(a) When a document submitted electronically provides for a signature, the following applies:

(1) The document is deemed signed by the declarant if, before submitting electronically, the declarant has signed a paper form of the document.

(2) By submitting the document electronically, the filer certifies that subdivision (a)(1) of this section has been complied with and that the original, signed document is available for inspection and copy at the request of the Department.

(b) The original signature page(s) of all corporate applications shall be retained and maintained by the filer for a minimum of five (5) years after the corporate application has been accepted for filing by the Department and shall be made available for inspection and copy at the request of the Department. Notwithstanding that a filer may designate a third party to retain and maintain such originals, the filer shall be the party that is ultimately responsible for the originals.

NOTE: Authority cited: Sections 720, 1215.8, 12921(c), 1652, 10113.2, 11520.5, 11694.5, 12161, 12389(a)(3) Insurance Code; *CalFarm Insurance Company v. Deukemjian* (1989) 48 Cal.3d 805; *20th Century Insurance Company v. Garamendi* (1994) 8 Cal.4th 216. Reference: Sections 131, *et seq.*, 717, *et seq.*, 810, 827, 880, *et seq.*, 922.4, 922.5, 1011(c), 1104.9, 1215, *et seq.*, 1652, 1765, 10113.2, 11520, *et seq.*, 11691, *et seq.*, 12160, *et seq.*, 12250, *et seq.*, 12389, *et seq.*, Insurance Code.

ADOPT SECTION 2277.54 Exemption

Upon written application of any filer (or its authorized agent), or on its own motion, the Department may grant an exemption from electronic filing requirements if the Department finds that it would not be practicable for a filer to convert a document to electronic form by scanning, imaging, or other means, or if compliance with these regulations would constitute a financial or organizational hardship on that filer, or for other good cause shown.

NOTE: Authority cited: Sections 720, 1215.8, 12921(c), 1652, 10113.2, 11520.5, 11694.5, 12161, 12389(a)(3) Insurance Code; *CalFarm Insurance Company v. Deukemjian* (1989) 48 Cal.3d 805; *20th Century Insurance Company v. Garamendi* (1994) 8 Cal.4th 216. Reference: Sections 131, *et seq.*, 717, *et seq.*, 810, 827, 880, *et seq.*, 922.4, 922.5, 1011(c), 1104.9, 1215, *et seq.*, 1652, 1765, 10113.2, 11520, *et seq.*, 11691, *et seq.*, 12160, *et seq.*, 12250, *et seq.*, 12389, *et seq.*, Insurance Code.