

STATE OF NEW JERSEY  
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF THE TREATMENT OF )  
DETERMINING ASSESSMENT AND )  
APPORTIONMENT PREMIUMS FOR THE )  
PURPOSES OF CALCULATING THE ) ORDER  
SPECIAL PURPOSE APPORTIONMENT )  
AND THE FRAUD ASSESSMENT )

This matter having been opened by the Commissioner of the Department of Banking and Insurance (“the Commissioner”) pursuant to N.J.S.A. 17:1C-1 et seq., and all powers expressed or implied therein; and

IT APPEARING that companies regulated by the Department of Banking and Insurance (“Department”), including insurers selling life insurance, are required to pay a fraud assessment (“assessment”) pursuant to N.J.S.A. 17:33A-8 to fund the responsibilities under the Insurance Fraud Prevention Act, N.J.S.A. 17:33-A-1 et seq.; and special purpose apportionment (“apportionment”) pursuant to N.J.S.A. 17:1C-20 to fund the fiscal and regulatory responsibilities of the Department; and

IT FURTHER APPEARING that the assessment and apportionment are based on net written premiums of each company; and

IT FURTHER APPEARING that P.L. 2016, c. 38 § 1 and P.L. 2016, c. 38 § 2 amended the assessment statutes; and

IT FURTHER APPEARING that as amended, N.J.S.A. 17:33A-8 provides that in determining the assessment amount pursuant to this section, the net premiums received by a company, other than a domestic insurer as defined in N.J.S.A. 17B:17-7a that sells life insurance

as defined in N.J.S.A. 17B:17-3, including annuities as defined in N.J.S.A. 17B:17-5, shall not exceed \$100,000,000 on any one contract of insurance; and

IT FURTHER APPEARING that N.J.S.A. 17:1C-20, governing the apportionment, provides that in determining the apportionment amount pursuant to this section, the net written premiums received by a company, other than a domestic insurer as defined in N.J.S.A. 17B:17-7a that sells life insurance as defined in N.J.S.A. 17B:17-3, including annuities as defined in N.J.S.A. 17B:17-5, shall not exceed \$100,000,000 on any one contract of insurance.

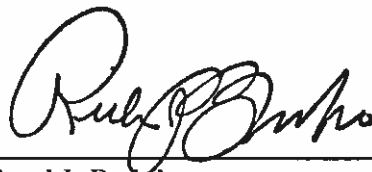
IT FURTHER APPEARING the purposes of N.J.S.A. 17:33A-8 and N.J.S.A. 17:1C-20 are to limit assessment and apportionment amounts of net written premiums so as to not exceed \$100,000,000 on any one contract of insurance of domestic insurers selling life insurance as defined in N.J.S.A. 17B:17-3, including annuities as defined in N.J.S.A. 17B:17-5; and

IT FURTHER APPEARING that it is therefore reasonable and appropriate to provide that insurers seeking to exclude any net written premiums in excess of \$100,000,000 on any one contract of insurance to file a certification of such amounts in the form of the Appendix to the Order attached hereto and made a part hereof.

THEREFORE, IT IS on this 31 day of October, 2017,

ORDERED that any insurer, other than a domestic insurer as defined in N.J.S.A. 17B:17-7a that sells life insurance, as defined in N.J.S.A. 17B:17-3, including annuities as defined in N.J.S.A. 17B:17-5, seeking to limit any net written premium so as not to exceed \$100,000,000 on any one contract of insurance shall complete and file the Certification set forth in the Appendix, attached hereto and made part hereof, reflecting the amounts reported as of December 31, 2016, within 15 days of the date of this Order, and for each year thereafter, file the Certification as of December 31<sup>st</sup> of that year on or before June 1<sup>st</sup> with the Department as follows:

New Jersey Department of Banking and Insurance  
20 W. State Street  
Trenton, NJ 08625  
ATTN: Office of Solvency Regulation – Assessments

A handwritten signature in black ink, appearing to read "Richard J. Badolato". The signature is written in a cursive style with a large initial "R".

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Richard J. Badolato  
Commissioner

APPENDIX to ORDER No. A17-113

**OTHER THAN A DOMESTIC INSURER**  
**CERTIFICATION OF LIFE INSURANCE CONTRACTS OR ANNUITIES CONTRACTS**  
**THAT EXCEED \$100,000,000**  
**SPECIAL PURPOSE APPORTIONMENT AND FRAUD ASSESSMENT**

FOR YEAR ENDED DECEMBER 31, \_\_\_\_\_

Company Name: \_\_\_\_\_ Company NAIC No. \_\_\_\_\_

1. Number of life insurance contract(s) that exceed \$100,000,000 \_\_\_\_\_
2. Total net direct written premium for Line 1 above \_\_\_\_\_
3. Number of annuity contract(s) that exceed \$100,000,000 \_\_\_\_\_
4. Total net direct written premium for Line 3 above \_\_\_\_\_

**CERTIFICATION**

The undersigned certifies that (s)he is authorized to file this information on behalf of  
(Company Name) \_\_\_\_\_ and that  
the information contained herein is true and correct to the best of his/her knowledge, information  
and belief, has made a reasonable inquiry as to the facts recited herein, and that any willful  
misstatement subjects the declarant/certifying person to punishment, as well as the entity on whose  
behalf the declarant/certifying person submits this Certification.

(Signature) \_\_\_\_\_

Type or print name \_\_\_\_\_

Title \_\_\_\_\_