



General Assembly

January Session, 2023

**Substitute Bill No. 6621**



**AN ACT CONCERNING THE RENEWAL OF SURPLUS LINES  
INSURANCE POLICIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 38a-741 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2023*):

4 (b) (1) When any policy of insurance is procured [or renewed] under  
5 the authority of such license providing a line of insurance or its  
6 component that does not, on the effective date of coverage, appear on  
7 the current published list, both the licensee and the insured shall write  
8 signed statements setting forth facts showing that such licensee and  
9 such insured were unable after diligent effort to procure, from any  
10 authorized insurer or insurers, the full amount of insurance required to  
11 protect the interest of such insured, and further showing (A) that the  
12 amount of insurance procured from an unauthorized insurer or  
13 insurers is only the excess over the amount so procurable from  
14 authorized insurers, (B) the type of policy, and (C) if such policy is for  
15 real property, the location of such property. Such licensee shall file  
16 such signed statements in electronic format with the commissioner on  
17 February fifteenth, May fifteenth, August fifteenth and November  
18 fifteenth of each year.

19 (2) When any policy of insurance is renewed, the licensee shall not

20 be required to write and file the signed statement set forth in  
21 subdivision (1) of this subsection if the policy is renewed with an  
22 unauthorized insurer.

23 [(2)] (3) The provisions of subdivision (1) of this subsection shall not  
24 apply to (A) any such policy providing or including flood insurance,  
25 including flood insurance procured from the National Flood Insurance  
26 Program, or (B) any policy of insurance procured under the authority  
27 of such license for an insured that is an exempt commercial purchaser,  
28 as defined in Section 527 of the Dodd-Frank Wall Street Reform and  
29 Consumer Protection Act, P.L. 111-203, as amended from time to time,  
30 provided (i) the surplus lines broker has disclosed to such exempt  
31 commercial purchaser that such insurance may or may not be available  
32 from an authorized insurer, that may provide greater protection with  
33 more regulatory oversight, and (ii) such exempt commercial purchaser  
34 has subsequently requested such broker, in writing, to procure such  
35 policy from an unauthorized insurer.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	38a-741(b)

**Statement of Legislative Commissioners:**

In Subsec. (b)(2), "subsection (b) of this section" was changed to "this subsection" for accuracy.

**INS**      *Joint Favorable Subst. -LCO*