

304.35-040 Governing committee.

- (1) The Reinsurance Association shall be governed by a committee of seven (7) persons to be appointed by the commissioner of insurance, which shall consist of the following:
 - (a) One (1) person representing an insurer chartered under the laws of the Commonwealth of Kentucky;
 - (b) One (1) person representing an insurer that is neither chartered under the laws of the Commonwealth of Kentucky nor affiliated with one (1) of the national insurance trade associations;
 - (c) Three (3) persons from insurance trade organizations representing insurers of various interests;
 - (d) One (1) licensed insurance agent; and
 - (e) One (1) person that meets the requirements of paragraph (a), (b), (c), or (d) of this subsection.
- (2) The "FAIR" plan shall maintain a formulated plan and articles consistent with this subtitle. The governing committee of the association may, on its own initiative or shall at the request of the commissioner, amend the plan and articles, subject to approval by the commissioner.
- (3) The governing committee of the association shall, on or before April 1 of each year, file with the commissioner, on such forms as the commissioner requires, an accounting of the plan's operations during the preceding calendar year together with its financial condition, and its underwriting experience as to each separate account maintained therein, as of the end of such year. The commissioner may require interim accountings on a quarterly basis or examine the affairs of the association when, in his or her opinion, such action is necessary to determine the continued solvency of the Reinsurance Association.
- (4) If at any time the commissioner determines that the Reinsurance Association is or may become unable to meet its financial obligations during the current year, the commissioner shall order the governing committee to levy appropriate assessments within the limitations of KRS 304.35-030(1) against all members.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 166, sec. 3, effective June 27, 2019. -- Amended 2010 Ky. Acts ch. 24, sec. 1461, effective July 15, 2010. -- Amended 2005 Ky. Acts ch. 32, sec. 1, effective June 20, 2005. -- Amended 1990 Ky. Acts ch. 260, sec. 2, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 225, sec. 4, effective July 15, 1988. -- Amended 1980 Ky. Acts ch. 359, sec. 4, effective July 15, 1980. -- Created 1972 Ky. Acts ch. 65, sec. 4, effective June 16, 1972.