



STATE OF MISSISSIPPI
Mississippi Insurance Department

GEORGE DALE
Commissioner of Insurance
State Fire Marshal

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Deputy Commissioner

1804 Walter Sillers Building (39201)
Post Office Box 79
Jackson, Mississippi 39205-0079
(601) 359-3569

MISSISSIPPI REGULATION NO. 94-104

PRESCRIBING FORM OF CERTIFICATE OF CONTRIBUTION
FOR CERTAIN ASSESSMENTS PAID TO
MISSISSIPPI LIFE AND HEALTH INSURANCE
GUARANTY ASSOCIATION AND APPROVING FINANCIAL STATEMENT
TREATMENT OF SUCH CERTIFICATE OF CONTRIBUTION

Section

1. Authority.
2. Purpose.
3. Definitions.
4. Form of Certificate of Contribution.
5. Financial Statement Treatment of Certificate of Contribution.
6. Severability.
7. Effective Date.

Section 1. Authority.

This Regulation is promulgated by the Commissioner of Insurance pursuant to the authority granted to him by Miss. Code Ann. §§ 83-5-1 and 83-23-217 (Rev. 1991), and is promulgated in accordance with Mississippi Insurance Department Regulation No. 88-101, said regulation being the Rules of Practice and Procedure before the Mississippi Insurance Department.

Section 2. Purpose.

The purpose of this Regulation is to prescribe the form of the certificate of contribution to be issued by the Mississippi Life and Health Insurance Guaranty Association to each member insurer paying a Class B assessment to the Mississippi Life and Health Insurance Guaranty Association and to approve the form and amount and period of time that a certificate of contribution may be shown as an admitted asset by the member insurer in its statutory financial statement.

EXHIBIT

"A"

Section 3. Definitions.

- (a) "Class B assessment" shall mean assessments by the Mississippi Life and Health Insurance Guaranty Association made to the extent necessary to carry out the powers and duties of the Mississippi Life and Health Insurance Guaranty Association under Miss. Code Ann. § 83-23-215 (Rev. 1991), with regard to an impaired or insolvent insurer.
- (b) "Impaired insurer" shall have the same meaning as defined in Miss. Code Ann. § 83-9-209 (Rev. 1991).
- (c) "Insolvent insurer" shall have the same meaning as defined in Miss. Code Ann. § 83-9-209 (Rev. 1991).
- (d) "Member insurer" shall have the same meaning as defined in Mississippi Code Annotated Section 83-9-209.

Section 4. Form of Certificate of Contribution.

The Mississippi Life and Health Insurance Guaranty Association shall issue to each member insurer paying a Class B assessment to the Mississippi Life and Health Insurance Guaranty Association a certificate of contribution for the amount of the assessment so paid. Such certificate of contribution shall be in substantially the form attached hereto as Appendix A, which is hereby made a part of this Regulation.

Section 5. Financial Statement Treatment of Certificate of Contribution.

A certificate of contribution may be shown by a member insurer in its statutory financial statement as an admitted asset in such form and for such amount, if any, and period of time as the commissioner may by order approve, provided, that a member insurer shall in any event at its option have the right to show a certificate of contribution as an admitted asset at percentages of the amount assessed and paid for calendar years as follows:

- (a) One hundred percent (100%) for the calendar year of issuance of the certificate of contribution;
- (b) Eighty percent (80%) for the first calendar year after the year of issuance of the certificate of contribution;
- (c) Sixty percent (60%) for the second calendar year after the year of issuance of the certificate of contribution;
- (d) Forty percent (40%) for the third calendar year after the year of issuance of the certificate of contribution;

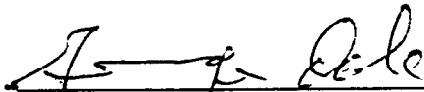
- (e) Twenty percent (20%) for the fourth calendar year after the year of issuance of the certificate of contribution; and
- (f) Zero percent (0%) for the fifth calendar year after the year of issuance of the certificate of contribution and thereafter.

Section 6. Severability.

If any provision of any section of this Regulation or the application thereof to any circumstance or person or entity is held invalid, such invalidity shall not affect any other provision of that section or application of the Regulation which can be given effect without the invalid provision or application, and to this end the provisions of this Regulation are declared to be severable.

Section 7. Effective Date.

This Regulation shall become effective December 31, 1994.



GEORGE DALE
COMMISSIONER OF INSURANCE
MISSISSIPPI DEPARTMENT OF INSURANCE

APPENDIX A

Mississippi Life and Health Insurance Guaranty Association
Post Office Box 4562
Jackson, Mississippi 39296

ASSESSMENT NOTICE
AND
CERTIFICATE OF CONTRIBUTION

[Date]

Name
Address
City, State Zip Code

ASSESSMENT SUMMARY

[Name of Impaired or Insolvent Insurer]	Class B-Life	\$ _____
	Annuity	_____
	Unallocated Annuity	_____
	Health	_____
	The NET AMOUNT DUE	\$ _____

CERTIFICATE OF CONTRIBUTION

WHEN PAID IN FULL, THIS ASSESSMENT NOTICE TOGETHER WITH YOUR
CANCELED CHECK WILL SERVE AS YOUR CERTIFICATE OF CONTRIBUTION.

A copy of this notice and your check, payable to:

MISSISSIPPI LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION

should be mailed to the above address within 30 days of this
notice. Delinquencies accrue interest at twelve percent (12%) per
annum. Delinquencies are reportable to the Mississippi
Commissioner of Insurance who may impose penalties.

A member insurer may offset against its (premium, franchise or
income) tax liability (or liabilities) to the State of Mississippi
a Class B assessment to the extent allowed by Miss. Code Ann. §
83-23-218 (Rev. 1991).



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MISSISSIPPI REGULATION NO. 95-101
REGULATION REGARDING PROFESSIONAL
BAIL AGENT'S FINES AND PENALTIES

Table of Contents

Section 1.	Statutory Authority
Section 2.	Purpose
Section 3.	Applicability
Section 4.	Severability
Section 5.	Effective Date

Section 1. Statutory Authority

This regulation is promulgated by the Commissioner of Insurance of the State of Mississippi to implement Miss. Code Ann. §§83-39-1 et seq. (Supp. 1994), and is being adopted pursuant to the authority granted the Commissioner of Insurance by Miss. Code Ann. §83-39-3(3)(Supp. 1994), and in accordance with Miss. Code Ann. §25-43-1(Rev. 1991), known as the Mississippi Administrative Procedures Law and Regulation No. 88-101 known as Rules & Procedures before the Mississippi Insurance Department.

Section 2. Purpose

The purpose of this regulation is to promulgate rules and regulations necessary for the enforcement of this chapter by establishing fines and penalties.

Section 3. Applicability

This regulation shall apply to those terms defined in Miss. Code Ann. §83-39-1(Supp. 1994).

A. Any person, individual or corporation as defined in Miss. Code Ann. §83-39-1(Supp. 1994), found in violation of Miss. Code Ann. §§83-39-3, 83-39-5, 83-39-13, 83-39-15, 83-39-25(Supp. 1994) and/or their subsections may be fined up to One Thousand Dollars (\$1,000.00) per violation and/or their license refused, suspended, revoked or the renewal thereof refused.

B. Any person, individual or corporation as defined in Miss. Code Ann. §83-39-1(Supp. 1994) found in violation of Miss. Code Ann. §83-39-7(Supp. 1994) by allowing Revocation Orders to be sent to the Mississippi Insurance Department may be fined as per the following schedule:

- (1) First order up to \$500.00 fine.
- (2) Second order within twelve (12) months of first order up to \$1,000.00 fine.
- (3) Third order within twelve (12) months of first order up to \$5,000.00 fine and/or up to six (6) month license suspension.
- (4) Fourth order within twelve (12) months of first order, the permanent revocation of the professional bail agent's license and/or up to \$10,000.00 fine.

C. Any violation not covered under B herein may carry a fine of up to One Thousand Dollars (\$1,000.00) per violation and/or license suspension.

D. Any applicant not able to prove "Good Moral Character" required under Miss. Code Ann. §83-39-9(Supp. 1994), may have his/her license denied, suspended, revoked or refused at renewal under Miss. Code Ann. §83-39-5(a)(Supp. 1994).

E. Any "repeated" violation other than forfeitures on Revocation Orders within a twelve (12) month period may have the following penalty:

- (1) Second offense within a twelve (12) month period up to \$5,000.00 per violation.
- (2) Third offense within a twelve (12) month period up to \$5,000.00 and/or license suspension.
- (3) Fourth offense within a twelve (12) month period up to \$5,000.00 and/or permanent revocation of license.

Section 4. Severability

If any provision of this regulation or the application thereof to any person or circumstance is for any reason held to be invalid, the remainder of these rules and regulations and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 5. Effective Date

These rules and regulations shall become effective 30 days from and after its adoption and filing with the Secretary of State's office.