



COMMISSIONER OF SECURITIES AND INSURANCE

Troy Downing
Commissioner

Office of the
Montana State Auditor

ADVISORY MEMORANDUM

To: ALL INTERESTED PERSONS

From: TROY DOWNING
Commissioner of Securities and Insurance, Office of the Montana State Auditor

Date: 09/09/2024

Supplemental Advisory Memorandum Regarding Certification of Compliance for all Property/Casualty Statistical Reporting Filings.

Background

As stated in the July 25, 2023 *Advisory Memorandum Regarding Certification of Compliance for all Property/Casualty Rate, Rule or Rate/Rule Filings* (July 25, 2023 Advisory Memorandum), the Commissioner of Securities and Insurance (CSI) recently identified a significant number of compliance issues in property/casualty rate, rule or rate/rule filings that can be avoided by requiring a certification that the filing complies with Title 33 of the Montana Code Annotated and Chapter 6.6 of the Montana Administrative Rules. Consequently, since September 1, 2023, all property and casualty rate/rule filings must be accompanied by such a certification of compliance and that the officer has reviewed CSI's *P & C Rate/Rule Filing Guide* (Certification Form). This Advisory Memorandum is supplemental to the July 25, 2023 Advisory Memorandum.

Guidance

Effective immediately, an officer's certification on the Certification Form that, to the best of an officer's knowledge and belief, the filing complies with Title 33 of the Montana Code Annotated and Chapter 6.6 of the Montana Administrative Rules includes a certification of compliance with statistical reporting requirements under §§ 33-16-105 and 33-16-202, MCA. The Certification Form will be updated accordingly,

840 Helena Avenue, Helena, Montana 59601
(main fax) 406.444.3413 | (securities fax) 406.444.5558
(insurance consumer services fax) 406.444.1980 | (legal fax) 406.444.3499
(phone) 800.332.6148 or 406.444.2040 | (email) csi@mt.gov | (web) www.csimt.gov

and can be found [HERE](#). Statistical reporting must be made in SERFF, rather than via email to CSI.

Submittal of the Certification Form does not excuse compliance with any provision of Montana law.

This advisory memorandum is informational only and does not enlarge, delimit, or otherwise modify any requirements of applicable law or in any way limit the authority of CSI under applicable law. CSI encourages interested persons to consult with independent legal counsel for guidance on the application of law to any particular circumstances.