

MODEL REGULATION ON CUSTODIAL AGREEMENTS AND THE USE OF CLEARING CORPORATIONS

What are the state pages?

This chart is intended to provide readers with additional information to more easily access state statutes, regulations, bulletins or administrative rulings related to the NAIC model. Such guidance provides readers with a starting point from which they may review how each state has addressed the model and the topic being covered. The NAIC Legal Division has reviewed each state's activity in this area and has determined whether the citation most appropriately fits in the Model Adoption column, Previous Version column, or Related Activity column based on the definitions listed in the key below. The NAIC's interpretation may or may not be shared by the individual states or by interested readers.

How do you use them?

States and territories are listed alphabetically in the chart. Locate the state or territory you are interested in, and depending on which column the citation falls under, you will know whether the NAIC Legal Division has deemed a state's law to be adoption of a model or not. To perform further research, use the citations to locate state laws.

Who do I speak to if I have questions?

If you have questions or believe information related to a state should be updated, please contact Jennifer Neuerburg at jneuerburg@naic.org.

Disclaimer: This chart does not constitute a formal legal opinion by the NAIC staff on the provisions of state law and should not be relied upon as such. Nor does this state page reflect a determination as to whether a state meets any applicable accreditation standards. Every effort has been made to provide correct and accurate summaries to assist readers in locating useful information. Readers should consult state law for further details and for the most current information.

MODEL REGULATION ON CUSTODIAL AGREEMENTS AND THE USE OF CLEARING CORPORATIONS**STATE PAGE KEY:**

MODEL ADOPTION: States that have citations identified in this column adopted the most recent version of the NAIC model in a **substantially similar manner**. This requires states to adopt the model in its entirety but does allow for variations in style and format. States that have adopted portions of the current NAIC model will be included in this column with an explanatory note.

PREVIOUS VERSION: States that have citations identified in this column (and nothing listed in the Model Adoption column) have enacted an older version of the model but have **not** adopted the most recent version of the NAIC model.

RELATED ACTIVITY: Examples of Related Activity include but are not limited to statutes or regulations addressing the same subject matter, or other administrative guidance such as bulletins and notices. States that have citations identified in this column (and nothing listed in the Model Adoption column) have **not** adopted the most recent version of the NAIC model in a **substantially similar manner**.

NO CURRENT ACTIVITY: No state activity on the topic as of the date of the most recent update. This includes states that have repealed legislation as well as states that have never adopted legislation.

NAIC MEMBER	MODEL ADOPTION	PREVIOUS VERSION	RELATED ACTIVITY
Alabama	ALA. ADMIN. CODE r. 482-1-077 (1996/2003).		
Alaska			ALASKA ADMIN. CODE tit. 3, §§ 21.865 to 21.899 (2008).
American Samoa	NO CURRENT ACTIVITY		
Arizona	NO CURRENT ACTIVITY		
Arkansas	CODE ARK. R. 054.00.26 (1987/2002).		
California			CAL. CODE REGS. tit. 10, § 2509.14 (1983) (workers' comp. deposits).
Colorado	3 COLO. CODE REGS. § 702-3:3-1-16 (2017).		
Connecticut		BULLETIN FS-2 (#2) (2002).	
Delaware	NO CURRENT ACTIVITY		

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NAIC MEMBER	MODEL ADOPTION	PREVIOUS VERSION	RELATED ACTIVITY
District of Columbia	NO CURRENT ACTIVITY		
Florida	FLA. ADMIN. CODE ANN. r. 69O-143.041 to 69O.143.042 (1986).		
Georgia	GA. COMP. R. & REGS. 120-2-69 (1996).		GA. COMP. R. & REGS. 120-2-35 (1996) (department deposits).
Guam	NO CURRENT ACTIVITY		
Hawaii	NO CURRENT ACTIVITY		
Idaho	NO CURRENT ACTIVITY		
Illinois	NO CURRENT ACTIVITY		
Indiana	NO CURRENT ACTIVITY		
Iowa			IOWA ADMIN. CODE r. 191-32 (508) (1983).
Kansas			KAN. ADMIN. REGS. § 40-1-47 (2002) (department deposits).
Kentucky	806 KY. ADMIN. REGS. 7:090 (1982).		
Louisiana	LA. ADMIN. CODE tit. 37, §§ XIII.10501 to XIII.10511 (2005).		LA. REV. STAT. ANN. § 22:39 (1979/2004) (authority to adopt regulations).
Maine	NO CURRENT ACTIVITY		
Maryland			MD. CODE REGS. §§ 31.04.09.01 to 31.04.09.04 (1968/2004).
Massachusetts	NO CURRENT ACTIVITY		
Michigan	NO CURRENT ACTIVITY		

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Minnesota	NO CURRENT ACTIVITY		
Mississippi	NO CURRENT ACTIVITY		
Missouri			MO. CODE REGS. ANN. tit. 20, § 200-7.200 (1980/1990) (affidavit forms).
Montana	NO CURRENT ACTIVITY		
Nebraska			NEB. REV. STAT. § 44-5109 (1991/2005) (definitions); § 44-5154 (1991/2005) (authority to adopt regulation).
Nevada	210 NEV. ADMIN. CODE §§ 81-001 to 81-004 (2005).		
New Hampshire	NO CURRENT ACTIVITY		
New Jersey			N.J. CODE R. INS. §§ 11:2-32.1 to 11:2-32.5 (1991/2001) (department deposits).
New Mexico	NO CURRENT ACTIVITY		
New York			N.Y. CIRCULAR LETTER Nos. 1975-1 (1975); 1976-13 (1976); 1977-2 (1977) (affidavits).
North Carolina	NO CURRENT ACTIVITY		
North Dakota	N.D. ADMIN. CODE §§ 45-03-23-01 to 45-03-23-03 (1987/2012).		
Nothern Marianas	NO CURRENT ACTIVITY		
Ohio	NO CURRENT ACTIVITY		
Oklahoma	OKLA. STAT. tit. 36, § 1628 (1983).		

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Oregon			OR. ADMIN. R. § 836-027-0200 (1998/2006).
Pennsylvania			31 PA. CODE §§ 148a.1 to 148a.5 (2002).
Puerto Rico	NO CURRENT ACTIVITY		
Rhode Island	NO CURRENT ACTIVITY		
South Carolina	NO CURRENT ACTIVITY		
South Dakota	NO CURRENT ACTIVITY		
Tennessee	TENN. COMP. R. & REGS. 0780-01-46 (1980/2013).		
Texas			TEX. ADMIN. CODE § 7.86 (1996/2002).
Utah	UTAH ADMIN. CODE r. 590-178 (1996/2006).		BULLETIN 2008-6 (2008).
Vermont	NO CURRENT ACTIVITY		
Virgin Islands	NO CURRENT ACTIVITY		
Virginia	NO CURRENT ACTIVITY		
Washington	NO CURRENT ACTIVITY		
West Virginia	W. VA. CODE §§ 33-8A-1 to 33-8A-7 (2002) (combines model act and regulation).		
Wisconsin	NO CURRENT ACTIVITY		
Wyoming	WY. RULES AND REGULATIONS 044.0002.57 §§ 1 to 6 (2006).		