

[Bulletin 12-06](#)

To: Surplus Lines Agents and Independently Procured Insurance (IPC) Filers
From: Merle Scheiber, Director
Date: December 5, 2012
Re: Surplus Lines Filing in South Dakota

Bulletin 12-03 provides guidance to surplus lines brokers and those who independently procure surplus lines insurance (“surplus lines filers”) on multi-state policies where South Dakota is considered the “Home State” under the Nonadmitted and Reinsurance Reform Act (NRRA). This Bulletin provides guidance to all surplus lines filers, including those who file single-state surplus lines policies where South Dakota is the “Home State” under the NRRA (“single-state filers”).

Beginning January 1, 2013, single-state filers must report surplus lines tax information and remit premium tax with the Surplus Lines Clearinghouse as operated by the Florida Surplus Lines Service Office via its website. Single-state policies with an effective date before January 1, 2013 or endorsements on those policies will continue be filed with the Division until renewal. Single-state policies issued or renewed on or after January 1, 2013, including policy endorsements, must be filed with the Clearinghouse. Surplus lines filers may begin filing with the Clearinghouse on January 1, 2013.

Surplus lines filers should be aware of the policy data elements that will be required to make these filings with the Clearinghouse as they may differ from the information currently required to be collected for each policy. These data elements, additional information, and an online tax calculator can be found at the Clearinghouse website: www.slclearinghouse.com. **All surplus lines filers must register with the Clearinghouse at its website.** Surplus lines filers who have registered with the Clearinghouse for filing multi-state policies need not register again.

Due to Bulletins 12-03 and 12-06, all surplus lines filers in South Dakota will be reporting information and remitting surplus lines premium tax through the Clearinghouse website after January 1, 2013. Because South Dakota regulates surplus lines brokers, rather than agencies, all surplus lines filers must file surplus lines tax information and remit premium tax under the name of the surplus lines broker or individual independently procuring insurance.

Additional information is available at the Division’s website: <http://dlr.sd.gov/insurance>.