



COMPLIANCE CHART
Diligent Effort
 updated April 2020

State	DE Required	Declinations	Record (Type)	Responsibility	Manner	Submitted	Length of Retention	Exceptions	Export List (Date Updated)	Statute	Regulation	Additional Guidance
Alabama	Yes	Unspecified	No	Unspecified	Unspecified	Unspecified	Unspecified	Bulletin NO. 2010-01	None	Ala Code § 27-10-20		Bulletin NO. 2010-01
Alaska	Yes	3	Documentation	Retail agent and SL broker	Retained	N/A	Unspecified		3 AAC 25.040 (7-29-15)	Alaska Stat. § 21.34.020	3 AAC 25.035	Must be submitted to surplus lines broker no less than 15 days after binding
Arizona	Yes	Unspecified	No	Unspecified	Unspecified	Unspecified	Unspecified		A.R.S. § 20-409 (9-13-13)	A.R.S. § 20-407(2)		Circular Letter 2000-9, Question 5
Arkansas	Yes	Unspecified	Report	Unspecified	Unspecified	Unspecified	Unspecified	Ark. Admin. Code 054.00.24-5(f)	None	AR Code § 23-65-305	Ark. Admin. Code 054.00.24-5	
California	Yes	3	Signed statement	SL broker	Filed with SLA and retained	60 days	18 months		CA Ins Code § 1763.1 (1-6-13)	CA Insurance Code 1763		Instructions for completing Diligent Effort Search Report
Colorado	Yes	3	Affidavit	Producer and SL broker	Retained	N/A	3 years		None	CSA 10-5-101 to 10-5-119	3 CCR Div. of Ins. 2-4-1	
Connecticut	Yes	3	Written statement	SL broker	Retained	N/A	Through policy period		C.G.S.A. § 38a-741(a) (2-25-14)	CGS §38a-741(b)(1)		Bulletin SL-4
Delaware	Yes	3	Signed statement	SL broker	Retained	N/A	5 years after policy issuance	18 Del.C. § 1905	None	18 Del.C. § 1912		Bulletin 18
District of Columbia	Yes	Unspecified	Affidavit	Unspecified	Filed	10th of each month for preceding month transactions	Unspecified		None	DC ST § 31-2502.40		
Florida	Yes	3	Affidavit	SL broker	Filed and retained	One month following each quarter for previous quarter	Unspecified	F.S.A. 627.062(3)(d) and F.S.A 626.917 (1)	None	F.S.A. § 626.916	Fl. Admin. Code r. 69P-5.003	Diligent Effort/Surplus Lines Disclosure Matrix
Georgia	Yes	Unspecified	No	Unspecified	Unspecified	Unspecified	Unspecified	Ga. Code Ann. § 33-5-35	None	Ga. Code Ann. § 33-5-21		Bulletin 11-EX-3
Hawaii	Yes	Unspecified	Documentation	SL broker	Retained	N/A	5 years following the termination of contract	HRS § 431:8-300	None	HRS §431:8-301		Memorandum 2011-4E
Idaho	Yes	1	Affidavit (electronic)	SL Licensee	Filed and retained	Unspecified	5 years	I.C. § 41-1212.	I.C. § 41-1216 (9-28-15)	I.C. § 41-1214	IDAPA 18.06.06	
Illinois	Yes	3	Documentation	SL producer	Retained	N/A	7 years		None	215 Ill. CS 5/445	50 Ill. Adm. Code 2801.50 through 2801.70	
Indiana	Yes	3	Affidavit	Unspecified	Filed	20th day of each month for preceding month transactions	Unspecified		None	IC 27-1-15.8-4 (b) (4)		
Iowa	Yes	Unspecified	Documentation	Unspecified	Retained	N/A	5 years		None	I.C.A. § 515I.3		
Kansas	Yes	Unspecified	Affidavit	Excess lines agent	Filed	Before March 1 for preceding calendar year	Unspecified		None	K.S.A. 40-242(b)	K.A.R. 40-8-7	
Kentucky	Yes	Unspecified	Affidavit	by SL broker	Filed	Unspecified	Unspecified		None	KRS § 304.10-040	806 Ky. Admin. Regs. 10(050)	
Louisiana	No	N/A	N/A	N/A	N/A	N/A	N/A		None	L.S.A.R.S. 22:432		
Maine	Yes	Unspecified	No	Unspecified	Unspecified	Unspecified	Unspecified	24-A M.R.S.A. § 2002-A(3)	None	24-A M.R.S.A. § 2004		Bulletin 439
Maryland	Yes	3	Affidavit	Unspecified	Filed	Within 45 days after month of procurement	Unspecified		COMAR 31.03.06.10 (8-21-15)	MD Code, Insurance, § 3-306.1	COMAR 31.03.06.03	
Massachusetts	Yes	Unspecified	Affidavit	Special insurance broker	Filed	Within 20 days of procurement	Unspecified		None	M.G.L.A. 175 § 168A		Bill pending to allow continuous affidavits (SB 563)
Michigan	Yes	Unspecified	No	Unspecified	Unspecified	Unspecified	Unspecified	M.C.L.A. 500.1910(3)(b)	M.C.L.A. 500.1910(4) (9-13-15)			
Minnesota	Yes	Unspecified	Documentation	Surplus lines licensee	Retained	N/A	5 years		None	M.S.A. §60A.201(3)(b)		
Mississippi	No	N/A	N/A	N/A	N/A	N/A	N/A		None	Miss. Code Ann. § 83-21-19		Bulletin 2017-3
Missouri	Yes	Unspecified	No	Unspecified	Unspecified	Unspecified	Unspecified		None	V.A.M.S. 384.017	20 CSR 200-6.500	
Montana	Yes	3	Affidavit	Procuring or SL producer	Filed	60 calendar days of the effective date	Unspecified		MCA 33-2-322 (12-12-14)	MCA 33-2-302(2)(a)(p)(A)		Requirements for Surplus Lines Insurers
Nebraska	Yes	Unspecified	Sworn statement	SL Licensee	Filed	2/15, 5/15, 8/15, 11/15 after the preceding quarter	Unspecified		None	Neb. Rev. St. § 44-5510		Frequently Asked Questions
Nevada	Yes	Unspecified	No	Unspecified	Unspecified	Unspecified	Unspecified	N.R.S. 685A.060 (3-19-12)		N.R.S. 685A.040		
New Hampshire	Yes	Unspecified	Sworn statement	Licensee	Filed	10th day of month for preceding month transactions	Unspecified		None	§ 405:25		
New Jersey	Yes	3	Affidavit or certification	Broker	Retained	N/A	5 years		N.J.A.C. 11:1-34.6 (2-21-14)	N.J.S.A. 17:22-6.43	N.J.A.C. 11:1-33.3	
New Mexico	Yes	4	Signed statement	Broker	Retained	N/A	Unspecified		Bulletin NO. 2015-007	N. M. S. A. 1978, § 59A-14-3		
New York	Yes	3	Affidavit	Broker	Filed with ELANY	45 days with declarations form	Unspecified		Bulletin No. 2013-16 (7-14-15)	McKinney's Insurance Law § 2118		
North Carolina	Yes	Unspecified	Acknowledgement	SL Licensee	Retained	N/A	5 years		None	N.C.G.S.A. § 58-21-15	11 NCAC 10.0718	
North Dakota	Yes	Unspecified	Signed statement	Unspecified	Filed	3/1, 6/1, 9/1, 12/1 after the preceding quarter	Unspecified		NDAC 45-09-01 Appendix 1 (7-1-12)	NDAC 45-09-01-03		
Ohio	Yes	5	Affidavit	Broker	Retained	N/A	5 years		None	ORS 3905.33		
Oklahoma	Yes	Unspecified	No	Unspecified	Unspecified	Unspecified	Unspecified	36 Okl. St. Ann. § 1106.2	None	36 Okl. St. Ann. § 1106.1		
Oregon	Yes	Unspecified	Signed statement	SL Licensee	Filed	90 days	Unspecified		None	ORS 735.425.		
Pennsylvania	Yes	Unspecified	Signed statement	Unspecified	Filed	45 days	Unspecified		31 Pa. Code § 124.6 (4-26-14)	40 P.S. § 991.1604		

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Puerto Rico	Yes	5	Affidavit	Unspecified	Filed	At time of procurement	Unspecified		None	26 L.P.R.A. § 1007		
Rhode Island	Yes	3	Affidavit	Broker	Retained	N/A	Not specified	Gen.Laws 1956, § 27-3-38(c)	Gen.Laws 1956, § 27-3-38(c)	Gen.Laws 1956, § 27-3-38(c)	INSURANCE REGULATION 1160	
South Carolina	Yes	1	Submission	Broker	Filed	Unspecified	Unspecified		None	Code 1976 § 38-45-90(A)		
South Dakota	Yes	Unspecified	Affidavit	Broker	Filed	At time of procurement	Unspecified		None	SDCL § 58-32-16		
Tennessee	Yes	Unspecified	Affidavit	SL agent	Filed	30 days after end of the month which policy was placed	Unspecified		None	T.C.A. §56-14-106		
Texas	Yes	Unspecified	No	Unspecified	Unspecified	Unspecified	Unspecified		None	V.T.C.A., Insurance Code § 981.004		
Utah	Yes	Unspecified	Signed statement	SL broker	Filed	60 days after effective date	Unspecified		R500-171-5 (4-6-15)		R500-171-6	
Vermont	Yes	Unspecified	No	Unspecified	Unspecified	Unspecified	Unspecified		None	8.V.S.A. § 5024		
Virginia	No	N/A	N/A	N/A	N/A	N/A	N/A		None	VA Code Ann. § 38.2-4811		
Washington	Yes	Unspecified	Documentation	SL broker	Filed	60 days after procurement	Unspecified		None	RCWA 48.15.040		
West Virginia	Yes	Unspecified	Affidavit (notarized)	SL Licensee	Filed	Annually	Unspecified		WV Code St. R. 114-20-7 (10-24-14)	§33-12C-5		
Wisconsin	No	N/A	N/A	N/A	N/A	N/A	N/A		None			
Wyoming	Yes	3	Signed statement	Licensed producer	Retained	N/A	5 years after termination of contract		W.S.1977 § 26-11-106	§26-11-104(a)(ii)		

These materials are intended to serve as reference tools and should not be relied upon as definitive sources or as substitutes for your own thorough review of the applicable laws, regulations, rules, bulletins, or other materials published by relevant state or federal governments or agencies. These materials are also not a substitute for legal advice on the subject matter.

If you have any questions or notice any errors please contact Senior State Relations Manager, John Meetz at john@wsia.org