

## **Title 210 - NEBRASKA DEPARTMENT OF INSURANCE**

### **Chapter 10 – UNINCORPORATED MUTUAL ASSOCIATIONS**

001. Statutory authority. Pursuant to the authority granted in Neb. Rev. Stat. §§ 44-101.01 and 44-386.08, the Department of Insurance hereby adopts the following Rule:

002. Statement of policy. The purpose of this Rule is to implement the intent of the Legislature as set out in Neb. Rev. Stat. § 44-101, with respect to the officers, directors and members of unincorporated mutual associations.

003. Limitation of membership. No association may have a membership of more than 2,500 members. Any association which presently has a membership of more than 2,500 members shall not accept any new members until the membership total is below 2,500.

004. Equal treatment of members. No person shall be a member of any association unless he pays the same membership fee and assessments that are charged all other members. All officers and directors must be residents of the State of Nebraska.

005. Prohibited expense payments. No personal expenses shall be paid to any officer, director or member. Rent may not be paid on office space unless the rent is approved at a regular or special meeting by the members.

006. Filings; disapproval. The Director may disapprove any filing if it be determined that said filing does not meet statutory and regulatory standards.

007. Dissolution. In the event any association desires to dissolve or merge, written approval must be obtained from the Department of Insurance. Application must be made and approved before any disbursement of any funds under this section is made.

008. Distribution of funds to members. If, at the end of any calendar year, a surplus exists in the allowable fund, distribution shall be equitably divided among the members in good standing that date. Application must be made to the Department of Insurance on or before March 15 of the year following said end of calendar year and distribution approved.

009. Change of principal office. Approval must be obtained in writing from the Department of Insurance before the principal office of any association can be changed. The request may be by letter from the President or Secretary and the reasons for the request stated.

010. Proxies; addresses; notice. No payment shall be made for any proxy from the funds of the association. Notice of any meeting and the names and addresses of the officers and directors elected at any meeting shall be sent to the Department of Insurance. Such notice and names and addresses shall not constitute a filing.

011. Books and records; examination. The books and records of every association shall be kept up-to-date and in order. The annual statement must be completed in its entirety. Whenever it is deemed necessary by the Director of Insurance to conduct an examination or inspection of the books and records of any association, officer, director or employee, the association shall pay the actual expenses, mileage and salary of the examiner.