

## 2019 ANNUAL REPORT AND PREMIUM TAX UPDATES

- Each Core, Series and Pure Captive must file an individual 2019 Premium Tax Form. Minimum Premium Taxes are:
  - ✓ Pure Captive - \$5,000
  - ✓ Core LLC - \$5,000
  - ✓ Series Captive Insurance Company - \$3,500
- There are no changes for the 2019 Annual Report for Pure Captives, Core LLCs and Series Captive Insurance Companies. Each captive must file an individual Annual Report.
- Annual Reports and premium tax reports are now due April 15<sup>th</sup>, extended from the prior March deadline.
- The Captive Bureau will accept scans of Jurat Pages and Premium Tax Reports as long as the Notary Seal is visible.
- The Annual Reports should be sent to [captive@state.de.us](mailto:captive@state.de.us) by the Captive Manager. If they choose send it by mail, our address is:
  - Delaware Insurance Department
  - Captive Bureau
  - 1007 North Orange Street, Suite 1010
  - Wilmington, DE 19801
- Per section § 6914(c) Title 18 of the Delaware Code, all Administrative Core LLCs who did not contract for nor collect any direct, nor assume any reinsurance premium; and was not obligated as an insurance company for any type under contract of insurance or reinsurance, is no longer required to submit an Administrative Order to be executed by the Commissioner to waive the \$5,000 Premium Tax payment. The result is that non-risk bearing Administrative Core LLC will only be responsible for the \$400 annual renewal fee.

### **Approved Policies**

The Captive Bureau will allow two options for captives to add or remove lines of coverage during the policy year:

✓ **Option #1**

“Approved Policies Library” can be filed with the Department. In this case, no Business Plan Change Request will be required for adding or removing lines of coverage during the policy year. Rather, each March 1st, the captive insurer has to report all lines of coverage written at any time during the previous calendar year on their Annual Report. Year to year changes must be reported on the Annual Report Premium Schedule showing the coverage effective dates and policy limits.

*OR*

✓ **Option #2**

If the Captive Manager chooses not to have an “Approved Policies Library” with the Department, prior approval will be required for adding or removing lines of coverage during the policy year.

An official business plan change request will have to be submitted with red line Business Plan and draft policies for review and approval. The captive insurer will have to report all lines of coverage written at any time during the previous calendar year on their Annual Report. Year to year changes must be reported on Annual Report Premium Schedule showing the coverage effective dates and policy limits.

**NOTE:**

*Per section § 6922 Title 18 of the Delaware Code , Department must receive notice of all deletions or additions of mandatory coverages such as Workers' Compensation, Commercial Auto Liability, and any other coverage mandated by law. Adding or removing these coverages still need to be submitted as a Business Plan Change request for Department's approval.*

**Dormant Status**

Per amended section § 6902, Title 18 of the Delaware Code, if captive did not contract for, or collect, any direct premium, assumed, and any reinsurance premium for an entire calendar year from the date of request, they may submit a business plan change request for a dormant status approval. A dormant captive insurance company shall possess and maintain unimpaired capital and surplus in an amount of \$25,000 or such other amount as determined by the Commissioner. The Dormant Status Request Form and other requirements are listed on the Captive Bureau website: <https://captive.delaware.gov>.