



Jeff Youtz  
Director

# Legislative Services Office Idaho State Legislature

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## MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Business Committee  
**FROM:** Senior Legislative Research Analyst - Ryan Bush  
**DATE:** October 21, 2013  
**SUBJECT:** Department of Insurance

IDAPA 18.01.23 - Rules Pertaining to the Idaho Insurance Holding Company System Regulatory Act (Docket No. 18-0123-1301)

IDAPA 18.01.50 - Rules Pertaining to the Adoption of the International Fire Code (Docket No. 18-0150-1301)

### **(1) 18.01.23 - Rules Pertaining To The Rules Pertaining to the Idaho Insurance Holding Company System Regulatory Act (Docket No. 18-0123-1301)**

The Department of Insurance submits notice of proposed rulemaking at IDAPA 18.01.23 - Rules Pertaining to the Idaho Insurance Holding Company System Regulatory Act. The Department states that this rulemaking updates the existing rule consistent with changes made to Chapter 38, Title 41, Idaho Code, as codified in House Bill 197 (2013). The Department further states that this rulemaking sets forth the elements of the new filing requirements for a new Form F - Enterprise Risk Report. House Bill 197 repealed and rewrote Chapter 38, Title 41, Idaho Code, to update the National Association of Insurance Commissioners (NAIC) model law (Insurance Holding Company System Regulatory Act) that is designed to provide more detailed monitoring for system risk issues that might exist in non-insurance affiliates of an insurance company and could ultimately jeopardize the solvency of the insurer. This rule change reflects the changes in House Bill 197.

The Department states that negotiated rulemaking was conducted and a Notice of Intent to Promulgate Rules was published in the July 2013 edition of the Idaho Administrative Bulletin. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Department in Sections 41-211 and 41-3817, Idaho Code, and consistent with House Bill 197.

### **(2) 18.01.50 - Rules Pertaining To The Adoption of the International Fire Code (Docket No. 18-0150-1301)**

The Department of Insurance submits notice of proposed rulemaking at IDAPA 18.01.50 - Rules Pertaining to the Adoption of the International Fire Code. The Department states that this rulemaking adopts the 2012 edition of the International Fire Code and makes it current with the edition of the Building Code adopted by the Legislature in 2013.

Mike Nugent, Manager  
Research & Legislation

Cathy Holland-Smith, Manager  
Budget & Policy Analysis

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The Department states that negotiated rulemaking was conducted and a Notice of Intent to Promulgate Rules was published in the July 2013 edition of the Idaho Administrative Bulletin. The 2012 edition of the International Fire Code is incorporated by reference into this rule. There is no fiscal impact associated with this rulemaking.

The proposed rule appears to be within the statutory authority granted to the Department in Sections 41-211 and 41-253, Idaho Code.

cc: Department of Insurance  
Tom Donovan  
Mark Larson