



**PROCEDURES FOR DOMESTICATION
OF A U.S. BRANCH OF AN ALIEN INSURER
AND ADMISSION TO TEXAS**

GENERAL INFORMATION

The domestication of an alien insurer's U.S. branch is accomplished by creating a "shell" corporation specifically organized for this purpose. The "shell", regardless of its state of domicile, must then be admitted to Texas and any other states in which it desires to do business. The U.S. branch is then merged into the "shell" who is the surviving company.

The surviving company must make proper arrangements for the reappointment of its agents through the Agents' License Division and make the applicable filings for approval of its policy forms and name change endorsements, if applicable, with the Policy Approval Division.

DOCUMENTATION REQUIRED TO ADMIT THE SHELL TO TEXAS

1. Articles of Incorporation, and amendments (if any), **certified** by the state of domicile.
2. Latest, or qualifying, Examination Report **certified** by the state of domicile.
3. Financial Statement, **certified** by the proper regulatory authority, current within ninety (90) days of the date of the application.
4. Retaliatory Statement issued by state of domicile.
5. Affidavit, executed by the President and Secretary, stating that all assets, liabilities, reserves, policy contracts and service contracts will remain the same following the merger and that management will provide appropriate notice to policyholders of new addresses and telephone listings of the company. The affidavit should also indicate that the officers and directors and the lines of insurance to be written will remain the same and that all agents have been properly notified of the change.
6. Certificate of Deposit from state of domicile.
7. Certificate of Compliance or Authority, **certified** by state of domicile.
8. Admission fee of \$2,000.00. If the domiciliary state's fees are higher, higher fee is to be submitted based on retaliatory provisions.

DOCUMENTATION REQUIRED FROM THE SURVIVING COMPANY

1. Application for Certificate of Authority.
2. Standard Coverages Page (P&C companies only).
3. Attorney for Service form.
4. Officers and Directors Page.
5. Biographical Affidavit for each officer and director.
6. Certificate of Valuation from state of domicile.
7. Current Certificate of Authority for the U.S. branch must be surrendered.
8. A **certified** copy of the Domestication Agreement, along with a **certified** copy of the orders approving such domestication from the state of domicile of the shell and the country of domicile of the U.S. branch.
9. **If the surviving company is changing its name** from the name of the “shell” to another name, the following documents must **also** be submitted:
 - A. A **certified** copy of the amendment to its Articles of Incorporation reflecting the new name.
 - B. A **certified** copy of its Certificate of Compliance or Authority from the state of domicile, reflecting the new name.
 - C. Completed Name Application.
 - D. Name Change Endorsement filing if applicable.

The documentation described above must be sent to:

**Texas Department of Insurance
Company Licensing & Registration, MC 305-2C
P.O. Box 149104
Austin, Texas 78714-9104**

Please note that, when indicated, certified copies must have an original signature or seal from the domiciliary regulatory authority. Photocopies or facsimile copies are not acceptable.

Further information and assistance may be obtained by calling (512) 322-4370.

INCOMPLETE APPLICATIONS IMPEDE TIMELY REVIEW BY THE DEPARTMENT; THEREFORE, IT IS EXTREMELY IMPORTANT THAT APPLICATIONS ARE COMPLETE. SUBMIT A COMPLETE FILING TO THE TEXAS DEPARTMENT OF INSURANCE, COMPANY LICENSING & REGISTRATION DIVISION, MC 305-2C, P. O. BOX 149104, AUSTIN, TX 78714-9104. FOR QUESTIONS OR MORE INFORMATION, CALL (512) 322-4370.

THESE GUIDELINES ARE GENERAL IN NATURE AND DO NOT SUPERCEDE STATUTE OR REGULATION. THEY ARE NOT INTENDED TO BE ALL INCLUSIVE AND ADDITIONAL DOCUMENTATION MAY BE REQUESTED.