

## Biographical Affidavit and Fingerprinting Requirements For Texas Lloyds and Reciprocal

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The Texas Department of Insurance is given authority to inquire into the competence and fitness of the officers and directors of insurers. References:

- Texas Insurance Code, Chapter 801, Subchapter C (Competence, Fitness, or Reputation).
- Texas Administrative Code, Title 28, Part 1, Chapter 1, Subchapter D—Effect of Criminal Conduct.
- Texas Government Code 411.106—Access to Criminal History Record Information: Texas Department of Insurance.

Biographical affidavits are required when a change occurs to a company's officers, directors, underwriters or attorney-in-fact at any time throughout the year. Fingerprint information may be needed, depending on the circumstances (see Section III. Fingerprinting Requirements).

The forms referenced in each section may be found on our website at <http://www.tdi.texas.gov/forms/form3.html>.

These instructions are for Texas Lloyds and Reciprocal **ONLY**.

### Section I: BIOGRAPHICAL REQUIREMENTS

Submit an [NAIC Biographical Affidavit UCAA, Form 11](#) for each officer. Make sure the affidavit is correctly completed (see Section II, Important Tips).

Pursuant to Texas Administrative Code, Title 28, Part 1, Chapter 1, Subchapter D, each individual listed in §1.503 (3) and (4) of this subchapter (relating to Application of Fingerprinting Requirement), at or near the same time that they submit their biographical information, must also submit fingerprint cards, unless the cards were previously submitted. Please see Section III: Fingerprinting Requirements.

If the attorney-in-fact is a corporation, Biographical Affidavits and fingerprints are required for the following *positions*:

#### FOR DOMESTIC INSURERS:

ALL Directors and **ONLY** the following Officers: Chief Executive Officer, President, Executive Director, Secretary, Treasurer, Chief Financial Officer/Controller, Chief Operating Officer and Medical Director (if applicable). We **DO NOT** require biographical affidavits for Vice Presidents or Assistant officers.

#### FOR FOREIGN INSURERS:

Biographical affidavits are required for ONLY the President, Secretary and Treasurer, or similar positions. We DO NOT require biographical affidavits for Vice Presidents or Assistant-officers.

In addition, a change to a Texas Lloyds' underwriter and/or attorney-in-fact is considered a transaction in which additional documentation is necessary. A change in the Reciprocal's attorney-in-fact is also considered a transaction. Lloyds and Reciprocal are subject to fingerprinting, **with the exception of underwriters**. Please refer to the following checklists:

Lloyds underwriter substitution - [Charter Amendment Checklist for a Lloyds plan \(FIN370\)](#)

Lloyds attorney-in-fact change - [Charter Amendment Checklist for a Lloyds plan \(FIN370\)](#)

Reciprocal attorney-in-fact change - [Attorney-in-fact Change Checklist \(FIN371\)](#)

## Section II. IMPORTANT TIPS

To avoid deficiencies requiring correction, note the following:

- Company name correctly listed. If the officer/director is elected to the same position for more than one company, make sure all company names are listed. Group names are not acceptable.
- All questions answered. If questions do not apply, please indicate "N/A." If questions are left blank, we must assume they were overlooked, and they will require correction.
- Position correctly listed. We cannot enter a position in our database if it is not listed on the affidavit.
- Applicant MUST sign. In addition, the affidavit must be notarized. We will accept copies as long as they are legible and dated within 3 years (and all other information is still current).
- Holding Company System. If the individual is an officer/director for multiple insurers within a holding company system, please send one biographical affidavit and attach a document listing each affiliated insurer and the appropriate position within that entity.

If a current officer has been elected to a new position, a [Biographical Affidavit Update Form \(FIN324\)](#) reflecting the new position is required.

## Section III. FINGERPRINTING REQUIREMENTS

If an officer has not previously submitted fingerprint information (for example, in connection with an admission/incorporation or a Form A, or for an insurance agent application), we may need a set submitted. If you are unsure if the officer has previously fulfilled this requirement, please note so when you submit the biographical affidavit. We can check our records, and notify you when we determine if fingerprints are necessary. Be aware that this will also delay updating our database since we cannot add officers until a background check has been done.

Electronic fingerprinting is available in many locations throughout the U.S. It is fast and accurate; and in most cases, it will help avoid potential delays in the processing of your submission.

DO NOT SEND PAPER FINGERPRINT CARDS TO THE TEXAS DEPARTMENT OF INSURANCE - CARDS ARE PROCESSED BY IDENTOGO. If we receive fingerprint cards, we will shred them or return them to you at your expense.

If fingerprinting is required, follow these instructions:

### Fingerprint requirements and instructions

Include the processing confirmation receipt for fingerprinting with your completed application or filing at the time it is sent to TDI. The receipt allows TDI to locate criminal history information. (NOTE: Should your fingerprints be unacceptable, you will receive a rejection notice from Identogo.)

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Send biographical affidavits and fingerprint receipts with filings to [CLRFilings@tdi.texas.gov](mailto:CLRFilings@tdi.texas.gov)

#### ► Questions?

Email us at [CompanyLicense@tdi.texas.gov](mailto:CompanyLicense@tdi.texas.gov) or call 512-676-6365.