3. Gross premium charged;
4. Return premium paid, if any;
5. Rate of premium charged upon the several items of property;
6. Effective date of the contract, and the terms thereof;
7. Name and post office address of the insured;
8. Name and home office address of the insurer;
9. Amount collected from the insured; and
10. Other information as may be required by the commissioner of insurance.

(b) The record shall at all times be open to examination by the commissioner of insurance without notice, and shall be so kept available and open to the commissioner for 3 years next following expiration or cancellation of the contract.

(12) ANNUAL REPORT OF SURPLUS LINES AGENT. Each surplus lines agent shall, before March 1 in each year, make a report to the commissioner of insurance for the preceding calendar year on the form prescribed by him, of the facts required by subsection (11) and further showing that the amount of insurance procured from such unauthorized insurer or insurers is only the amount in excess of the amount so procurable from licensed insurers.

(13) PAYMENT OF PREMIUM TAX. Every surplus lines agent shall, before March 1 in each year, collect from the insureds and remit to the commissioner of insurance the state premium tax of 3% on the amount of gross premiums received for direct insurance, less return premiums and cancellations on direct insurance on risks in this state. This tax shall be in lieu of all taxes and fire department dues.

(14) SURPLUS LINES AGENTS MAY ADVERTISE. Any agent who is granted a surplus lines license in accordance with the provisions of this rule may bring announcements or statements before the public in respect to his ability to place such surplus lines insurance as may be permitted by Wisconsin statutes and this rule.

(15) SURPLUS LINES AGENTS' COMMISSIONS. Agents licensed in accordance with the provisions of this rule may not pay the whole or any part of the commission on surplus lines insurance to any person, except that such commissions may be shared or divided with any other resident licensed surplus lines agent.

(16) PENALTY. Any violation of this rule shall subject the agent to a revocation of his license.

History: Cr. Register, May, 1960, No. 53, eff. 6-1-60.

Ins 6.08 Fictitious Groups. (1) This rule is intended to implement and interpret sections 203.32 (3) (a) 2 and 204.39 (1) (d), Wis. Stats.

(2) No insurer shall make, offer to make, or permit any preference or distinction in kinds of insurance specified in section 201.04 (1), (2), and (5) to (18) inclusive, Wis. Stats., as to form of policy, certificate, premium, rate, dividend, or condition of insurance based upon employment of, or membership or nonmembership of any person or persons by or in any particular employer, group, association, partnership, corporation, or organization. Any grouping of risks which have no preferred characteristics over similar risks written on an individual basis for the purpose of insuring at a preferred rate or premium or for the purpose of paying dividends or distributing profits is a fictitious

group, and the grouping of such risks for said purposes is a violation of the statutes referred to in subsection (1) of this rule. This rule shall not apply to groups having common ownership, to groups specifically authorized by law, or to kinds of insurance specified in section 201.04 (3), (3a), (3b), (3c), (4), and (4a), Wis. Stats.

History: Cr. Register, June, 1960, No. 54, eff. 7-1-60.

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