**Section 754.10 Companies Must File**

a) All companies are subject to this filing requirement that write any of the following kinds of insurance:

1) Motor Vehicle, as used in this Section, includes only Private Passenger Automobiles, Taxicabs and Motorcycles;

2) Homeowners, including Mobile Homeowners;

3) Dwelling Fire and Allied Lines;

4) Workers' Compensation (see 50 Ill. Adm. Code 2902);

5) Medical Malpractice (see 50 Ill. Adm. Code 929); and

6) Group Inland Marine (see 50 Ill. Adm. Code 2302).

b) The following must be filed:

1) All Companies – All underwriting rule manuals that contain rules for applying rates or rating plans, plans for reporting statistics to statistical agencies, classifications, or other such schedules used in writing the kinds of insurance in subsections (a)(1) through (a)(3)

2) All Companies – All rates applied to the writing of the kinds of insurance in subsections (a)(1) through (a)(3); and

3) All Advisory Organizations – All underwriting rule manuals that contain rules for applying rates or rating plans, plans for reporting statistics to statistical agencies, classifications, or other such schedules used in writing the kinds of insurance enumerated in Section 4 of the Illinois Insurance Code [215 ILCS 5] (Code), Class 2, except paragraphs (a), (d) and (g) of Class 2, and Class 3.

c) The filing requirement of subsection (b)(1) can be met by:

1) A company making a direct filing on its own behalf; or

2) A company making a rule reference filing on its own behalf by utilizing its advisory organization's data relative to subsection (b)(1); or

3) A company authorizing the advisory organization of which it is a member or subscriber to make the filing on the company's behalf.

d) All filings required under subsection (b)(1) must be submitted using the System for Electronic Rate and Form Filing (SERFF) and must include:

1) The name of the advisory organization or company making the filing;

2) Identification of the rule with the manual or kind of insurance to which it applies;

3) Notification as to whether the filing is new or supersedes a present filing. Identification of all changes in all superseding filings, as well as identification of all superseded filings, is required. The preferred format is to underline the new wording and overstrike the deleted or changed language and give an explanation for the changes being made, but alternative methods of indicating changes will also be accepted; and

4) The effective date of use.

e) The filing requirement of subsection (b)(2) can be met by:

1) A company making a direct filing on its own behalf; and

2) Company rate information being completed for each company for which a filing is being submitted. The rate information shall include:

A) Overall % indicated change;

B) Overall % rate impact – This is the statewide average percentage change to the accepted rates for the coverages included for each company;

C) Written premium change for this program – This is the statewide change in written premium based on the proposed overall percentage rate impact for each company;

D) Number of policyholders affected for this program – This is the number of policyholders affected by the overall percentage rate impact for each company;

E) Written premium for this program – This is the statewide written premium for each company;

F) Maximum % change; and

G) Minimum % change.

f) All filings required under subsection (b)(2) must be submitted using SERFF and shall include:

1) The name of the company making the filing;

2) Identification of the kinds of insurance to which the filing applies;

3) Notification of whether the filing is new or supersedes a present filing. Identification of all changes in superseding filings, as well as identification of all superseded filing, is required; and

4) The effective date of use.

g) A company making a filing under subsection (b)(2) must maintain documentary data for rate changes in its files so that it will be available for review by the Department's Property and Casualty Compliance Unit.

h) A company making a filing under subsection (c)(2) or Section 754.10(c)(3) that wants to vary from advisory organization rules must file:

1) The manual rule number, which must be the same as the rule number being replaced; and

2) The effective date of use.

i) A company making a filing under subsection (c)(2) or (c)(3) that wants an effective date different from that of the advisory organization's advisory effective date must notify the Department of Insurance, using SERFF, of an automatic uniform delayed effective date applicable to all future advisory organization rule revisions.

j) A company authorizing its advisory organization to file on the company's behalf under subsection (c)(3) must have the organization notify the Department of Insurance electronically of that authorization.

(Source: Amended at 39 Ill. Reg. 8266, effective May 26, 2015)