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64B.41 RISK-BASED CAPITAL REPORTS.

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Subdivision 1. **General requirements.** Every society shall, on or before each March 1, prepare and submit to the commissioner a report of its risk-based capital levels as of the end of the calendar year just ended, in a form and containing the information required by the risk-based capital instructions. In addition, every society shall file its risk-based capital report with the NAIC according to the risk-based capital instructions.

- Subd. 2. **Specific requirements.** A society's risk-based capital must be determined according to the formula set forth in the risk-based capital instructions. The formula must take into account, and may adjust for the covariance between:
 - (1) the risk with respect to the society's assets;
 - (2) the risk of adverse insurance experience with respect to the society's liabilities and obligations;
 - (3) the interest rate risk with respect to the society's business; and
- (4) all other business risks and other relevant risks set forth in the risk-based capital instructions; determined in each case by applying the factors in the manner set forth in the risk-based capital instructions.
- Subd. 3. **Adjusted risk-based capital report.** If a society files a risk-based capital report that in the judgment of the commissioner is inaccurate, then the commissioner shall adjust the risk-based capital report to correct the inaccuracy and shall notify the society of the adjustment. The notice must contain a statement of the reason for the adjustment. A risk-based capital report as so adjusted is referred to as an "adjusted risk-based capital report."

History: 2010 c 275 art 2 s 3