

State Filing Required (Department of Insurance)



I. STATE LAW REQUIRES SEGREGATED RESERVE, ANNUAL REPORTING, AND/OR DETAILED APPLICATION (12):

State	Years in operation	Board resolution	Disclosure in agreement	Reserve required	Investment limitations	Other registrations	Notes:
AL	---	---	yes	yes	---	---	Regulated by Securities Dept. rather than Insurance
AR	5	yes	---	yes ¹	yes ²	---	¹ May elect to segregate AR annuitants; ² Prudent investor standard allowed
CA	10	yes	yes	yes ³	yes ³	---	³ CA annuitants only
FL	5	---	yes	yes ⁴	yes ⁴	---	⁴ May elect to segregate FL annuitants;
HI	10 in HI	---	yes	yes	---	---	⁵ Prudent investor standard; law requires \$200,000 of assets in Hawaii
MD	10 in MD	---	yes	yes	---	---	⁶ Prudent investor standard
NJ	10	yes	---	yes	---	yes ⁸	⁷ Prudent investor standard; ⁸ registration w/ Div. of Revenue and Dept. of Law and Public Safety
NY	10	yes	---	yes	---	---	⁹ Prudent investor standard
ND	---	---	---	yes	---	---	
TN	---	---	yes	yes ¹⁰	---	---	¹⁰ TN annuitants only; ¹¹ Prudent investor standard
WA	3	---	---	yes	---	yes ¹³	¹² Prudent investor standard; ¹³ registration w/ Secretary of State; organization must have \$500,000, unrestricted net assets
WI	10	---	---	yes ¹⁵	yes ¹⁶	---	¹⁴ Newly registering charities may be asked to include disclosure; ¹⁵ may elect to segregate WI annuitants; ¹⁶ prudent investor standard

II. STATE LAW PROVIDES FOR EXEMPTION - NOTIFICATION REQUIRED (15):

State	Years in operation	Board resolution	Disclosure in agreement	Reserve required	Available assets	Other registrations	Notes:
AK	3	---	yes	---	\$300k	---	
CT	3	---	yes	---	\$300k	---	
GA	3	---	yes	---	\$300k	---	Annual submission of audited financial statement
ID	3	---	yes	---	\$100k	---	
IA	3	---	yes	---	\$300k	---	
MS	3	---	yes	---	\$300k	---	
MO	3	---	yes	---	\$100k	---	
MT	3 ¹⁷	---	yes	yes ¹⁷	\$100k ^{17, 18}	---	¹⁷ Waived if reinsured; ¹⁸ \$100,000 in unrestricted assets or \$300,000 net worth; annual renotification
NV	3	---	yes	---	\$300k	---	
NH	3	---	yes	yes	\$300k	Yes ¹⁹	¹⁹ General registration with the Dept. of Justice; annual renotification; annuity rates must not exceed ACGA suggested rates
NM	3	---	yes	---	\$300k ²⁰	---	²⁰ Either in unrestricted assets or reserve fund
NC	3	---	yes	---	\$100k	---	
OK	3	---	yes	---	\$100k	---	Annual submission of audited financial statement
TX	3	---	yes	---	\$100k	---	
WV	3	---	yes	---	\$300k	---	

No State Filing Required (Department of Insurance)

III. STATE LAW PROVIDES FOR EXEMPTION - NO NOTIFICATION REQUIRED (19):

State	Years in operation	Board resolution	Disclosure in agreement	Reserve required	Available assets	Other registrations	Notes:
AZ	3	---	--- ²¹	---	\$300k	---	²¹ Detailed disclosure statement to donor prior to gift
CO	3	---	yes	---	---	---	
IL	20 ²²	---	---	---	\$2 mil. ²²	---	²² Waived if annuities reinsured
IN	---	---	---	---	---	---	
KS	---	---	---	---	---	---	
KY	---	---	---	---	---	yes ²³	²³ Certain charities must file copy of Form 990 with Attorney General
LA	---	---	---	---	---	---	
ME	5	---	---	---	---	yes ²⁴	²⁴ Registration w/ Secretary of State (qualified as foreign corporation)
MA	---	---	---	---	---	---	
MI	---	---	---	---	---	---	
MN	---	---	---	---	---	---	
NE	3	---	---	---	---	---	
OR	5	---	yes	yes	\$300k	no	
PA	3	---	yes	yes	\$100k	yes ²⁵	²⁵ Certain charities must register w/ Dept. of State (general solicitation law)
SC	5	---	---	---	---	---	
SD	10	---	yes	---	\$500k	yes ²⁶	²⁶ Registration w/ Secretary of State (qualified as foreign corporation)
UT	---	---	---	---	---	---	
VA	3	---	yes	---	\$100k	---	
VT	3	---	yes	---	\$300k	---	

IV. STATE LAW DOES NOT SPECIFICALLY ADDRESS GIFT ANNUITIES (5):

DE²⁷ DC OH²⁸ RI WY

²⁷ Insurance Code definition of annuity excludes those issued by tax-exempt organizations.

²⁸ Ohio previously provided for an exemption from securities law under now rescinded administrative rule. Court of Appeals case decided in 2002 held gift annuities not subject to insurance regulation (Ohio Supreme Court declined to hear appeal).