

VIATICAL SETTLEMENTS MODEL ACT

What are the state pages?

This chart is intended to provide readers with additional information to more easily access state statutes, regulations, bulletins or administrative rulings related to the NAIC model. Such guidance provides readers with a starting point from which they may review how each state has addressed the model and the topic being covered. The NAIC Legal Division has reviewed each state's activity in this area and has determined whether the citation most appropriately fits in the Model Adoption column, Previous Version column, or Related Activity column based on the definitions listed in the key below. The NAIC's interpretation may or may not be shared by the individual states or by interested readers.

How do you use them?

States and territories are listed alphabetically in the chart. Locate the state or territory you are interested in, and depending on which column the citation falls under, you will know whether the NAIC Legal Division has deemed a state's law to be adoption of a model or not. To perform further research, use the citations to locate state laws.

Who do I speak to if I have questions?

If you have questions or believe information related to a state should be updated, please contact Jennifer Neuerburg at jneuerburg@naic.org.

***Disclaimer:** This chart does not constitute a formal legal opinion by the NAIC staff on the provisions of state law and should not be relied upon as such. Nor does this state page reflect a determination as to whether a state meets any applicable accreditation standards. Every effort has been made to provide correct and accurate summaries to assist readers in locating useful information. Readers should consult state law for further details and for the most current information.*

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STATE PAGE KEY:

MODEL ADOPTION: States that have citations identified in this column adopted the most recent version of the NAIC model in a **substantially similar manner**. This requires states to adopt the model in its entirety but does allow for variations in style and format. States that have adopted portions of the current NAIC model will be included in this column with an explanatory note.

PREVIOUS VERSION: States that have citations identified in this column (and nothing listed in the Model Adoption column) have enacted an older version of the model but have **not** adopted the most recent version of the NAIC model.

RELATED ACTIVITY: Examples of Related Activity include but are not limited to statutes or regulations addressing the same subject matter, or other administrative guidance such as bulletins and notices. States that have citations identified in this column (and nothing listed in the Model Adoption column) have **not** adopted the most recent version of the NAIC model in a **substantially similar manner**.

NO CURRENT ACTIVITY: No state activity on the topic as of the date of the most recent update. This includes states that have repealed legislation as well as states that have never adopted legislation.

NAIC MEMBER	MODEL ADOPTION	PREVIOUS VERSION	RELATED ACTIVITY
Alabama	NO CURRENT ACTIVITY		
Alaska			ALASKA STAT. § 21.96.110 (2000); ALASKA ADMIN. CODE tit. 3, §§ 31.300 to 31.449 (2002/2011).
American Samoa	NO CURRENT ACTIVITY		
Arizona			ARIZ. REV. STAT. ANN. § 20-443.02 (2008).
Arkansas			ARK. CODE ANN. §§ 23-81-801 to 23-81-818 (2009/2013); BULLETIN 13-97 (1997); DIRECTIVE 1-2009 (2009).
California			CAL. INS. CODE §§ 10113.1 to 10113.35 (1990/2011); BULLETIN 2012-2 (2012).
Colorado			COLO. REV. STAT. §§ 10-7-601 to 10-7-620 (2006); § 11-51-201 (1990/2006) (Investments).
Connecticut			CONN. GEN. STAT. §§ 38a-465 to 38a-465m (1998/2013).

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Delaware	DEL. CODE ANN. tit. 18, §§ 7501 to 7520 (2017).		
District of Columbia	NO CURRENT ACTIVITY		
Florida	FLA. STAT. §§ 626.991 to 626.99295 (2017); § 517.021 (1978/2005) (Investments); MEMORANDUM 2010-007 (2010).		
Georgia			GA. CODE ANN. §§ 33-59-1 to 33-59-18 (2005/2009); § 10-5-2; § 10-5-12 (1973/2002) (Investments).
Guam	NO CURRENT ACTIVITY		
Hawaii			HAW. REV. STAT. §§ 431C-31 to 34 (2012).
Idaho	IDAHO CODE ANN. §§ 41-1950 to 41-1965 (2009) (portions of model).		IDAHO ADMIN. CODE r. 18.01.13.000 to 18.01.13.16 (2009); BULLETIN 2007-3 (2007); BULLETIN 2009-6 (2009).
Illinois	215 ILL. COMP. STAT. 159/1 to 159/999 (2010).		
Indiana			IND. CODE §§ 27-8-19.8-1 to 27-8-19.8-26 (1994/2003); § 27-1-12-44 (2008).
Iowa	IOWA CODE §§ 508E.1 to 508E.20 (2008/2009) (portions of model).		IOWA ADMIN. CODE r. 191-48.1 to 191-48.14 (2002/2009); BULLETIN 2008-10 (2008); BULLETIN 2011-5 (2011).
Kansas			KAN. STAT. ANN. §§ 40-5001 to 40-5016 (2002/2009).
Kentucky	KY. REV. STAT. ANN. § 304.15-020 (2008) (portions of model).		KY. REV. STAT. ANN. §§ 304.15-700 to 304.15-725 (1998/2010).
Louisiana			LA. REV. STAT. ANN. §§ 22:1791 to 22:1805 (2003/2010).

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Maine			ME. REV. STAT. ANN. tit. 24-A, §§ 6801 to 6819 (1997/2009) (portions of previous version of model); ME. REV. STAT. ANN. tit. 32, § 16102 to 16105 (1985/1999); § 16511 (1999/2005) (related to viatical investments).
Maryland			MD. CODE ANN., INS. §§ 8-601 to 8-611 (2004/2010).
Massachusetts			MASS. GEN. LAWS ch. 175, §§ 212 to 223 (2001/2013); 940 CODE MASS. REGS. §§ 18:01 to 18:08 (1997).
Michigan			MICH. COMP. LAWS §§ 550.521 to 550.528 (1997/1999).
Minnesota	MINN. STAT. §§ 60A. 957 to 60A.9585 (2009) (portions of model).		
Mississippi			MISS. CODE ANN. §§ 83-7-201 to 83-7-223 (2000).
Missouri	NO CURRENT ACTIVITY		
Montana			MONT. CODE ANN. §§ 33-20-1301 to 33-20-1317 (1997/2009).
Nebraska	NEB. REV. STAT. §§ 44-1101 to 44-1116 (2001/2008).		
Nevada	NEV. REV. STAT. §§ 688C.010 to 688C.510 (2001/2011) (portions of model).		BULLETIN 2006-007 (2006); BULLETIN 2011-012 (2011).
New Hampshire			N.H. REV. STAT. ANN. §§ 408-D:1 to 408-D:19 (2010).
New Jersey			N.J. STAT. ANN. §§ 17B:30B-1 to 17B:30B-17 (2005); BULLETIN 2006-07 (2006); BULLETIN 2010-14 (2010).

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New Mexico			N.M. STAT. ANN. §§ 59A-20A-1 to 59A-20A-11 (2000).
New York			N.Y. INS. LAW § 3220(6)(A); §§ 7810 to 7815 (2009); N.Y. COMP. CODES R. & REGS. tit. 11, § 308; §§ 380.1 to 380.10 (Reg. No. 148) (1994); §§ 381.1 to 381.3 (2010/2012); OFF. GEN. COUNSEL 11-6-2006 (2006).
North Carolina			N.C. GEN. STAT. §§ 58-58-200 to 58-58-310 (2002/2007) (Insurance law); § 78A-2 (1925/2002); §§ 78A-13 to 78A-14 (2002) (Securities law); §78A-17; § 78A-27; § 78A-49; § 78A-56 (1925/2002) (Investments).
North Dakota	N.D. CENT. CODE §§ 26.1-33.3-01 to 26.1-33.3-17 (2007/2009).		
Northern Marianas	NO CURRENT ACTIVITY		
Ohio	OHIO REV. CODE ANN. §§ 3916.01 to 3916.2 (2000/2013) (portions of model).		
Oklahoma	OKLA. STAT. tit. 36, §§ 4055.1 to 4055.17 (2008) (portions of model).		BULLETIN 3-6-2009 (2009); BULLETIN 4-9-2009 (2009).
Oregon	OR. REV. STAT. §§ 744.321 to 744.358 (1995/2009).		
Pennsylvania			40 PA. CONS. STAT. §§ 38-201 to 38-214 (2002).
Puerto Rico	P.R. RULE 85 (2008).		
Rhode Island			R.I. GEN. LAWS §§ 27-72-1 to 27-72-18 (2009).

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South Carolina	NO CURRENT ACTIVITY		
South Dakota			S.D. CODIFIED LAWS §§ 47-31A-401 to 47-31A-402 (1988/2000) (regulated as a security).
Tennessee	TENN. CODE ANN. §§ 56-50-101 to 56-50-111 (2001/2009) (portions of model).		
Texas			TEX. INS. CODE ANN. §§ 1111.001 to 1111.006 (2003); BULLETIN B-0026-07 (2007); BULLETIN B-0028-08 (2008); BULLETIN B-0036-11 (2011).
Utah			UTAH CODE ANN. §§ 31A-36-101 to 31A-36-119 (2003/2009); § 31A-21-104 (1985/2003) (insurable interest); § 31A-23-221 (2003) (licensing requirement).
Vermont	VT. STAT. ANN. tit. 8, §§ 3826 to 3835 (1994/2014).		
Virgin Islands	NO CURRENT ACTIVITY		
Virginia			VA. CODE ANN. §§ 38.2-6000 to 38.2-6016 (2003); § 38.2-1865.1 (2001/2003) (licensing of brokers).
Washington	WASH. REV. CODE ANN. §§ 48.102.005 to 48.102.901 (1995/2009) (portions of model).		WASH. ADMIN. CODE § 284-97-020 (2011).
West Virginia	W. VA. CODE §§ 33-13C-1 to 33-13C-18 (2008).		
Wisconsin	Wis. STAT. § 632.69 (2019/2013).		
Wyoming	NO CURRENT ACTIVITY		