

**Nebraska Department of Insurance**  
**Guidance Document**  
**IGD - - D5**

Title: Signature of Officers on Insurance Policies, Effect of Change in Officers

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Previously: Issued as a Notice on June 06, 2016

Notice: This guidance document is advisory in nature but is binding on an agency until amended by such agency. A guidance document does not include internal procedural documents that only affect the internal operations of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules and regulations made in accordance with the Administrative Procedure Act. If you believe that this guidance document imposes additional requirements or penalties on regulated parties, you may request a review of the document.

The Nebraska Department of Insurance (NDOI) eliminated the requirement that policies be refiled when the only reason for refiling is a change in company officers. If officers whose signatures appear on insurance policies cease to be such officers before the policies are sold, the officers' signatures will nevertheless be valid and sufficient for all purposes to the same extent as if those officers had remained in office until the contracts' inception.

Any insurer that decides to save money and time by following this new procedure cannot later attempt to avoid its obligations by claiming any contractual defect related to proper officer signatures.

For fire and lightning policies, the NDOI has legal authority to make this variance from the 1943 Standard Fire Insurance Policy of the State of New York ("Standard Fire Policy") based on NEB. REV. STAT. § 44-501(11), as amended in 2003. In the 2003 legislative session, LB 216 was introduced specifically to overrule *Volquardson v. Hartford Ins. Co.*, 264 Neb. 337, 647 N.W.2d 599 (2002) (finding where § 44-501(6) and (11) were in conflict, (6) controlled) and restore the Department's right to approve fire and lightning policies that vary from the Standard Fire Policy and from the provisions described at § 44-501(1)-(10). LB 216 added an introductory clause to § 44-501(11):

"Notwithstanding any other provision of this section, the Director of Insurance may approve any form of policy with variations in terms and conditions from the standard policy provided for in this section."

If there are questions regarding who are the officers of a company, please refer to the company's website or the NDOI's "Company Lookup" feature on our website.

Any questions concerning this notice may be directed to Legal Division at 402-471-2201.