

NAIC Title Insurance Task Force

**Survey of State Insurance Laws  
Regarding Title Data and Title Matters**

March 22, 2010

The Title Insurance (C) Task Force (formerly the Title Insurance Issues (C) Working Group) conducted a survey of each jurisdiction's laws and regulations regarding the collection of title agent data and other issues related to title insurance. The survey was conducted by the NAIC and began in August 2009. Respondents were the insurance department or other jurisdictional agency responsible for title agents or title insurance as appropriate in each jurisdiction.

The information in this document contains the results of the survey. The initial responses were provided in Zoomerang. Great care was taken in assembling and compiling the responses that appear in the summarized tables that follow. Each jurisdiction reviewed the summarized responses appearing in this document in February 2010.

The results do not include Pennsylvania. The results for Pennsylvania are available to regulators by contacting NAIC staff Joe Bieniek at [JBieniek@NAIC.org](mailto:JBieniek@NAIC.org) or 816.783.8226.

#### DISCLAIMER

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State	From which of these title participants are you authorized to require data reporting?						From which of these title participants are you authorized to require title insurers to obtain the participant's data and report it to you?				
	Title Insurers	Title Agents	Attorneys	Abstracters	Escrow / Settlement Agents	N/A	Title Agents	Attorneys	Abstracters	Escrow / Settlement Agents	N/A
Alabama	X	X					X				
Alaska	X	X			X				X		
Arizona	X	X									
Arkansas	X										
California	X	X			X				X		
Colorado	X	X	X				X	X	X		
Connecticut						X					X
Delaware	X	X	X				X	X			
Dist of Columbia						X					X
Florida - DFS		X									
Florida - OIR	X	X					X				
Georgia	X	X					X	X	X		
Hawaii						X					X
Idaho	X	X									X
Illinois						X					X
Indiana	X	X		X	X		X		X		
Iowa						X					X
Kansas	X	X					X				
Kentucky	X										
Louisiana	X	X					X	X	X		
Maine	X	X					X				
Maryland	X	X					X				
Massachusetts						X					X
Michigan	X	X					X				
Minnesota	X	X					X				
Missouri	X	X					X				
Montana	X	X			X		X		X		
Mississippi											
Nebraska	X	X			X		X				
Nevada	X	X									X
New Hampshire	X	X					X				
New Jersey	X						X				
New Mexico	X	X									
New York	X										
North Carolina	X										X
North Dakota	X						X				
Ohio	X	X					X				
Oklahoma	X	X									X
Oregon	X										X
Puerto Rico	X	X	X	X	X						X
Rhode Island	X	X					X				
South Dakota	X	X	X	X			X				
South Carolina						X					X
Tennessee	X										X
Texas	X	X			X		X		X		
Utah	X	X		X	X						X
Vermont	X										X
Virginia	X				X		X		X		
Washington	X	X			X		X		X		
West Virginia	X	X					X				
Wisconsin	X	X					X				
Wyoming	X	X					X	X			
<b>Total:</b>	<b>43</b>	<b>34</b>	<b>4</b>	<b>4</b>	<b>10</b>	<b>7</b>	<b>31</b>	<b>4</b>	<b>2</b>	<b>10</b>	<b>16</b>
<b>% of Respondents:</b>	<b>83%</b>	<b>65%</b>	<b>8%</b>	<b>8%</b>	<b>19%</b>	<b>13%</b>	<b>60%</b>	<b>8%</b>	<b>4%</b>	<b>19%</b>	<b>31%</b>

	<b>Comments Regarding the State's General Authority to Collect Agent Data</b>
<b>State</b>	
Alabama	
Alaska	We may collect data from insurance licensees, which may or may not include escrow/settlement agents, depending upon the functions they perform. Alaska has a regulation that requires a title producer to provide the title insurance company with data necessary to support a rate filing.
Arizona	We have authority to request information from either a title insurer who can then turn around and request it from any other participants or from a title agent. Attorneys only represent title insurers. We do not have abstracters (they are equivalent to title agents in other states). Escrow/Settlement agents are regulated by the Arizona Department of Financial Institutions (AZ DFI).
Arkansas	We have authority to request agent data pursuant to an investigation.
California	CA Code of Regulations, Title 10, (CCR) 2355.1 and 2355.2 were approved in August, 2009 requiring title insurance companies to submit a Statistical Plan and Income Report. CCR 2355.4 authorizes rating examinations of title insurers, UTCs or controlled escrow company.
Colorado	While we don't have direct authority to collect agent data, we maintain general subpoena authority and can obtain data through formal requests.
Connecticut	
Delaware	
Dist of Columbia	
Florida - DFS	We are currently working with the title insurance industry to create an annual data collection system. We are working on changes to the Florida Insurance Code to require this information be submitted annually by our title insurance agencies. We do not have the authority to collect information from attorneys selling title insurance and performing closings. However, an attorney operating a licensed title agency must report the data under the agency's license number.□
Florida - OIR	
Georgia	
Hawaii	
Idaho	
Illinois	
Indiana	Indiana does not have specific requirements but general department of insurance laws would allow collection.
Iowa	Iowa prohibits the sale of title insurance in Iowa so no data is collected.
Kansas	
Kentucky	
Louisiana	
Maine	We would collect information from attorneys in their capacity as title agents.
Maryland	Licensees can also be attorneys, abstractors, escrow officers, and settlement attorneys.
Massachusetts	
Michigan	We could collect transaction specific information conducted by an Agency, through an Insurer, however, we generally collect directly from the Title Agency.
Minnesota	Our Department also regulates the real estate and mortgage industry and pursuant to the real estate and mortgage laws, we are able to request data from entities licensed under those statutes.
Missouri	
Montana	
Mississippi	
Nebraska	
Nevada	
New Hampshire	Any data within the ownership, control or responsibility of the insurance company or its agents are subject to insurance department data collection.
New Jersey	
New Mexico	
New York	
North Carolina	Collecting data from parties other than insurers may not be easy unless the insurance department has regulatory authority over the such as to license them.
North Dakota	Our law is directed at companies and does not set out a specific data collection authority for agents, outside of fraud or complaint investigations. We can in the course of financial or market conduct exams request data from any person including agents.
Ohio	Ohio is also able to collect data from attorneys in their capacity as title agents if the attorneys are so licensed.
Oklahoma	Do not collect agent data
Oregon	Our authority is limited. The Insurance Division can request agent information from title insurers as part of an examination or inquiry.
Puerto Rico	Express disposition to report on a regular basis pertains to the commission report that agents submit and to the annual statement that insurers submit. Nevertheless, Section 2.120 Of the Insurance Code grants the Commissioner the authority to require any other information he may deem necessary from other persons.
Rhode Island	We believe we have the authority to examine and collect data from all licensees but have not yet done so with Title. Rhode Island does not have the NAIC Title Insurer or Title Agent Model Acts. However, we believe we have the authority under general rating statutes, financial examination and market conduct statutes.
South Dakota	
South Carolina	
Tennessee	
Texas	
Utah	Data collected in Utah is the Annual Report and controlled business reports, which includes title and escrow income.
Vermont	
Virginia	
Washington	
West Virginia	Does not collect data.
Wisconsin	
Wyoming	

State	Do you currently collect data from title agents?			Do you aggregate or compile data collected from title agents?		How would data reported to you by title agents, attorneys, abstractors, and escrow/settlement agents be handled?			By what legal protection is the data reported kept confidential?		
	Yes, on a regular basis	Yes, but on an ad hoc basis	Don't collect	Yes	No	Kept Confidential	Open to Public Disclosure	N/A	Proprietary Information	Market Regulation Laws	Other Legal Method
Alabama			X				X				
Alaska			X		X	X					X
Arizona		X		X			X				X
Arkansas		X			X	X					X
California		X		X		X					X
Colorado		X			X	X			X		
Connecticut			X					X			
Delaware			X					X			
Dist of Columbia			X					X			
Florida - DFS			X				X				
Florida - OIR		X		X			X				
Georgia		X			X	X				X	
Hawaii			X					X			
Idaho		X			X		X				
Illinois			X					X			
Indiana		X			X	X				X	
Iowa			X					X			
Kansas			X				X				
Kentucky			X				X				
Louisiana		X			X	X				X	
Maine		X			X	X				X	
Maryland		X		X		X				X	
Massachusetts			X					X			
Michigan		X			X		X				
Minnesota	X			X		X				X	
Missouri		X			X	X				X	
Montana			X					X			
Mississippi			X					X			
Nebraska			X			X				X	
Nevada		X		X		X				X	
New Hampshire			X				X				
New Jersey			X				X				
New Mexico	X			X			X				
New York			X					X			
North Carolina			X				X				
North Dakota			X					X			
Ohio	X			X							X
Oklahoma			X					X			
Oregon			X			X				X	
Puerto Rico	X				X			X			
Rhode Island			X		X	X				X	
South Dakota	X			X		X			X		
South Carolina			X					X			
Tennessee			X					X			
Texas	X			X			X				
Utah	X			X		X					X
Vermont			X					X			
Virginia		X			X	X				X	
Washington			X				X				
West Virginia			X					X			
Wisconsin			X				X				
Wyoming		X			X		X				
<b>Total:</b>	<b>7</b>	<b>16</b>	<b>29</b>	<b>11</b>	<b>14</b>	<b>18</b>	<b>16</b>	<b>17</b>	<b>2</b>	<b>12</b>	<b>6</b>
<b>% of Respondents:</b>	<b>13%</b>	<b>31%</b>	<b>56%</b>	<b>21%</b>	<b>27%</b>	<b>35%</b>	<b>31%</b>	<b>33%</b>	<b>4%</b>	<b>23%</b>	<b>12%</b>

	<b>Kinds and Uses of Collected Data</b>
<b>State</b>	
Alabama	
Alaska	We have collected data regarding profit and loss.
Arizona	We have conducted 2 surveys in the last 8 years of title agents to collect written premium and policy counts for each underwriter each title agent represents. During a Market Conduct Exam, we collect underwriting, claims handling and operational data which includes procedures and policyholder data.
Arkansas	
California	Data collected may include a review of the books, records, accounts, rates, charges, fees, rating plans, rating systems, underwriting rules, policy forms; loss or expense experience and the data, statistics, or info collected or used in determining or establishing the rates, charges, fees, rating plans, rating systems, underwriting rules or policy forms; statistical plan and financial data reports. Purpose is to aid in the administration of rate regulatory laws.
Colorado	
Connecticut	
Delaware	
Dist of Columbia	
Florida - DFS	
Florida - OIR	Total premium, retained premium, non-premium revenue, non-policyholder claims, title plant maintenance/rent expense, personnel expense, advertising and marketing expense, travel expense, equipment depreciation, office supplies, telephone, etc. expense, fees expense for non-premium revenue production (fees for searches, examinations, surveys, closing and escrow), P&C insurance expense, taxes, miscellaneous expenses. Data used for rate determination and regulatory purposes.
Georgia	On an ad hoc basis, HUD-1 statements, RESPA disclosures, title policies, closing protection letters, agency contracts, and affiliated agency agreements if applicable. The information is collected to examine compliance with Georgia law.
Hawaii	
Idaho	Complaint information, Title & Escrow rates
Illinois	
Indiana	Resident Title Insurance Agencies are examined approximately every two year in accordance with NAIC Market Conduct Handbook.
Iowa	
Kansas	
Kentucky	
Louisiana	Verification data that a Louisiana licensed attorney issued the report upon which the insurance policy is based.
Maine	We have not collected data from title agents. We have the authority to do so, however, and would collect data for whatever purpose was necessary to enforce the Maine insurance laws.
Maryland	Depending on nature of complaint, we may collect data relating to their escrow, closing and/or settlement services to include closing file copies, disbursement record, escrow account bank statements, etc.
Massachusetts	
Michigan	We collect Title Data every couple of years (still ad hoc) but do not collect the same data consistently. Also, this year we did a survey of all Agencies (including Title Agencies). The data collected this year is primarily is demographic and general in nature, for both Market Conduct and Licensing Departments. We try to keep confidential, but cannot guarantee that it is protected from FOIA.
Minnesota	It varies depending on the case. We will request the data or information we feel is pertinent to the investigation to determine whether violations of law have occurred.
Missouri	MO DIFP collects an annual underwriter onsite review report. We also review underwriting/title files and ownership/affiliated business information for market conduct examinations.
Montana	
Mississippi	
Nebraska	
Nevada	Nevada conducted one confidential survey of title agencies regarding the portion of title insurance premium retained by the agent, services provided and expenses relevant to those services.
New Hampshire	
New Jersey	
New Mexico	We collect detailed revenue, expense and policy issuance information from title insurers and title agents in order to promulgate rates.
New York	
North Carolina	
North Dakota	
Ohio	Ohio collects data related to the annual review of escrow accounts, IOTA accounts, affiliated business arrangements, errors and omissions insurance, and surety bond coverage.
Oklahoma	
Oregon	
Puerto Rico	Annual volume of business placed by producers and the commission earned. For statistical and public inspection purposes.
Rhode Island	Rhode Island does not currently collect title data from title insurers or agents.
South Dakota	Premiums remitted for premium tax purposes and determination of liability.
South Carolina	
Tennessee	
Texas	Revenues, expenses
Utah	If it is a direct appoint to the agent then the agent has to file the same reports as above.
Vermont	
Virginia	remittance of premium, issuance of policies; compliance purposes
Washington	
West Virginia	Does not collect data.
Wisconsin	
Wyoming	Standard agent audits. Escrow account and business account information to verify proper use of client escrow funds. Gather abstract information to verify proper documentation for issuing title policy. Review closing documents to check fees to verify compliance with rate filings.

State	Which processes do you regulate?						Which processes do you regulate the pricing of?						Which processes are included in the title rates?					
	Risk Transfer	Policy Production / Issuance	Title Search or Abstract	Examination of Title	Clearing Title Defects	Escrow & Closing	Risk Transfer	Policy Production / Issuance	Title Search or Abstract	Examination of Title	Clearing Title Defects	Escrow & Closing	Risk Transfer	Policy Production / Issuance	Title Search or Abstract	Examination of Title	Clearing Title Defects	Escrow & Closing
Alabama	X	X					X						X					
Alaska	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X
Arizona	X	X						X										
Arkansas	X	X	X	X	X													
California	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Colorado	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Connecticut																		
Delaware	X	X						X						X				
Dist of Columbia																		
Florida - DFS						X						X						
Florida - OIR	X	X	X	X	X	X	X	X		X	X		X		X	X		
Georgia	X	X																
Hawaii		X						X						X				
Idaho	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Illinois		X		X		X												
Indiana	X	X	X			X	X	X					X	X				
Iowa																		
Kansas	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
Kentucky	X						X					X						
Louisiana		X						X					X					
Maine	X	X					X	X				X	X					
Maryland	X	X		X	X	X		X				X	X	X	X	X	X	X
Massachusetts																		
Michigan	X	X	X	X		X	X	X	X			X	X	X	X			
Minnesota	X	X					X					X						
Missouri	X	X	X	X		X	X	X				X	X					
Montana	X	X				X		X					X	X	X	X	X	X
Mississippi	X	X					X	X				X	X					
Nebraska	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
Nevada	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
New Hampshire	X	X					X	X				X	X					
New Jersey	X	X		X			X		X	X	X	X	X	X	X	X	X	X
New Mexico	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X
New York																		
North Carolina	X						X					X	X	X	X	X	X	X
North Dakota	X	X					X	X				X	X					
Ohio	X											X	X				X	
Oklahoma	X																	
Oregon	X	X	X	X	X		X	X	X	X		X	X	X	X	X	X	X
Puerto Rico	X	X						X				X	X					
Rhode Island	X	X					X					X	X	X	X	X	X	X
South Dakota	X						X	X				X	X	X	X	X	X	X
South Carolina		X						X					X					
Tennessee	X		X	X			X					X						
Texas	X	X	X	X	X	X		X				X	X	X	X	X	X	X
Utah		X	X	X	X	X		X	X	X	X		X	X	X	X		
Vermont	X	X										X	X					
Virginia		X				X						X	X					
Washington	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
West Virginia	X	X					X	X				X	X					
Wisconsin	X	X	X	X	X		X	X				X	X	X	X	X	X	X
Wyoming		X						X					X	X	X			
<b>Total:</b>	<b>39</b>	<b>40</b>	<b>19</b>	<b>21</b>	<b>16</b>	<b>18</b>	<b>28</b>	<b>32</b>	<b>13</b>	<b>14</b>	<b>12</b>	<b>8</b>	<b>35</b>	<b>38</b>	<b>22</b>	<b>23</b>	<b>21</b>	<b>5</b>
<b>% of Respondents:</b>	<b>75%</b>	<b>77%</b>	<b>37%</b>	<b>40%</b>	<b>31%</b>	<b>35%</b>	<b>54%</b>	<b>62%</b>	<b>25%</b>	<b>27%</b>	<b>23%</b>	<b>15%</b>	<b>67%</b>	<b>73%</b>	<b>42%</b>	<b>44%</b>	<b>40%</b>	<b>10%</b>

State	How do you regulate title insurance rates?						Do you require title agents to file their fees for processes which are not included in title rates?		
	File and Use	Use and File	Prior Approval	Promulgated Rates	Rates Are Not Regulated	Another Method (Describe)	Yes	No	N/A
Alabama						Filed and deemed approved, if not disapproved within 60 days		X	
Alaska			X						X
Arizona	X								X
Arkansas					X				X
California	X						X		
Colorado	X						X		
Connecticut			X					X	
Delaware	X							X	
Dist of Columbia					X			X	
Florida - DFS				X				X	
Florida - OIR				X				X	
Georgia					X			X	
Hawaii					X				X
Idaho						Rates are filed 30 days prior to use, comments rec	X		
Illinois					X				X
Indiana						Unfair Method of Competition Statute		X	
Iowa						Not applicable to Iowa			X
Kansas	X						X		
Kentucky	X							X	
Louisiana						File and deemed approved if no rejection in 45 days		X	
Maine	X							X	
Maryland						File, Approval and Use		X	
Massachusetts					X				X
Michigan	X							X	
Minnesota	X							X	
Missouri						File & Use if not disapproved within 30 days		X	
Montana	X							X	
Mississippi			X						X
Nebraska			X					X	
Nevada			X				X		
New Hampshire	X							X	
New Jersey			X						X
New Mexico				X			X		
New York			X					X	
North Carolina	X							X	
North Dakota						Prior approval for initial filing. Use & File for changes	X		
Ohio			X					X	
Oklahoma					X			X	
Oregon			X				X		
Puerto Rico			X					X	
Rhode Island	X							X	
South Dakota			X					X	
South Carolina			X				X		
Tennessee			X					X	
Texas				X				X	
Utah	X						X		
Vermont	X							X	
Virginia					X	Title rates are not filed.		X	
Washington	X							X	
West Virginia	X						X		
Wisconsin		X				Use & File, downward deviations must be filed		X	
Wyoming			X					X	
<b>Total:</b>	<b>17</b>	<b>1</b>	<b>14</b>	<b>4</b>	<b>8</b>		<b>11</b>	<b>32</b>	<b>9</b>
<b>% of Respondents:</b>	<b>33%</b>	<b>2%</b>	<b>27%</b>	<b>8%</b>	<b>15%</b>		<b>21%</b>	<b>62%</b>	<b>17%</b>

State	What is your statutory standard for title rate adequacy?			
	Rates Not Excessive, Inadequate or Unfairly Discriminate	No Particular Standard	Another Standard	Comments
Alabama	X			N/A
Alaska	X			
Arizona	X			
Arkansas				N/A
California	X			
Colorado	X			
Connecticut	X			
Delaware	X			
Dist of Columbia				N/A
Florida - DFS		X		
Florida - OIR	X			N/A
Georgia			X	Rates cannot unfairly discriminate and must be consistent with the rate fixed by the insurer.
Hawaii		X		
Idaho	X			
Illinois		X		Rates are not regulated.
Indiana	X			
Iowa			X	Iowa prohibits the sale of title insurance in Iowa, so there are no standards.
Kansas		X		
Kentucky	X			
Louisiana	X			N/A
Maine	X			
Maryland	X			
Massachusetts		X		
Michigan	X			
Minnesota	X			
Missouri	X			
Montana	X			
Mississippi	X			
Nebraska		X		
Nevada	X			
New Hampshire	X			
New Jersey	X			
New Mexico	X			
New York	X			
North Carolina	X			
North Dakota	X			
Ohio	X			
Oklahoma		X		
Oregon			X	Rates have to be supported with historical data or other information when filed. Investment income also has to be considered.
Puerto Rico	X			
Rhode Island	X			
South Dakota	X			
South Carolina	X			
Tennessee	X			
Texas	X			
Utah	X			
Vermont		X		
Virginia	X			Rates are negotiable.
Washington	X			
West Virginia	X			
Wisconsin	X			
Wyoming	X			
<b>Total:</b>	<b>39</b>	<b>8</b>	<b>3</b>	
<b>% of Respondents:</b>	<b>75%</b>	<b>15%</b>	<b>6%</b>	

State	Are you authorized to regulate the percentage of premium that title agents retain?			Is there a statutory standard for determining that percentage?		
	Yes	No	N/A	No	Yes	Describe
Alabama		X				
Alaska	X			X		
Arizona		X				
Arkansas		X				
California		X				
Colorado		X				
Connecticut	X				X	CT General Statutes Section 38a-415: agents may retain no more than 60% of the premium.
Delaware		X				
Dist of Columbia			X			
Florida - DFS			X			
Florida - OIR	X			X		Section 627.782, F.S. sets a minimum of 30% to be retained by insurers
Georgia		X				
Hawaii			X			
Idaho		X				
Illinois		X				
Indiana		X				
Iowa			X			
Kansas		X				
Kentucky		X				
Louisiana		X				
Maine		X				
Maryland		X				
Massachusetts			X			
Michigan		X				
Minnesota		X				
Missouri		X				
Montana	X				X	MCA 33-25-302
Mississippi		X				
Nebraska		X				
Nevada		X				
New Hampshire	X			X		N/A
New Jersey		X				
New Mexico	X				X	Agents shall retain at least 81% of the premium
New York		X				
North Carolina		X				
North Dakota	X			X		
Ohio		X				
Oklahoma		X				
Oregon		X				
Puerto Rico	X			X		Pursuant to Section 12.040(d) of the Insurance Code, we are authorized to regulate the insurance commission. The standard to evaluate the commission percentage is reasonableness; there is no specific percentage established.
Rhode Island		X				
South Dakota		X				
South Carolina			X			
Tennessee		X				
Texas	X			X		
Utah		X				
Vermont		X				
Virginia		X				
Washington		X				
West Virginia	X			X		
Wisconsin		X				
Wyoming		X				
<b>Total:</b>	<b>10</b>	<b>36</b>	<b>6</b>	<b>7</b>	<b>3</b>	
<b>% of Respondents:</b>	<b>19%</b>	<b>69%</b>	<b>12%</b>	<b>13%</b>	<b>6%</b>	

State	Which processes are, or can be, performed by Title Insurers?						Which processes are, or can be, performed by Title Agents?						Which processes are, or can be, performed by Attorneys?					
	Risk Transfer	Policy Production / Issuance	Title Search or Abstract	Examination of Title	Clearing Title Defects	Escrow & Closing	Risk Transfer	Policy Production / Issuance	Title Search or Abstract	Examination of Title	Clearing Title Defects	Escrow & Closing	Risk Transfer	Policy Production / Issuance	Title Search or Abstract	Examination of Title	Clearing Title Defects	Escrow & Closing
Alabama	X	X	X	X	X													
Alaska	X	X	X	X	X	X	X	X	X	X	X				X	X	X	X
Arizona	X	X	X	X	X	X		X	X	X								
Arkansas	X			X				X	X	X	X				X	X	X	X
California	X	X	X	X	X	X		X	X	X	X				X			
Colorado	X	X	X	X	X	X		X	X	X	X				X	X	X	X
Connecticut																		
Delaware	X	X						X	X	X					X	X	X	X
Dist of Columbia																		
Florida - DFS	X	X	X	X	X	X		X	X	X	X				X	X	X	X
Florida - OIR	X	X	X	X	X	X		X	X	X	X				X	X	X	X
Georgia	X	X	X		X			X							X	X	X	X
Hawaii	X	X	X	X	X													
Idaho	X	X						X	X	X	X							
Illinois		X	X	X	X	X		X	X	X	X							
Indiana	X	X	X	X	X	X		X	X	X	X				X	X	X	X
Iowa																		
Kansas	X	X	X	X	X	X		X	X	X	X							X
Kentucky	X	X	X	X				X	X						X	X	X	X
Louisiana		X						X							X	X	X	X
Maine	X	X	X	X	X	X		X	X		X				X	X	X	X
Maryland	X							X	X	X	X				X	X	X	X
Massachusetts															X	X	X	X
Michigan	X	X	X	X		X		X	X		X							
Minnesota	X	X						X	X	X	X							
Missouri	X	X	X	X	X	X		X	X	X	X			X	X	X	X	X
Montana	X	X	X	X	X			X	X	X	X				X	X	X	X
Mississippi	X	X						X										
Nebraska	X	X	X	X	X	X		X	X	X	X							X
Nevada	X	X	X	X	X	X		X	X	X	X							
New Hampshire	X	X	X	X	X	X		X	X	X	X				X	X	X	X
New Jersey	X	X	X	X	X	X		X	X	X	X				X			X
New Mexico	X	X						X	X	X	X							
New York	X	X	X	X	X	X												
North Carolina	X	X	X	X					X							X	X	X
North Dakota	X	X	X	X	X	X		X								X	X	X
Ohio	X	X	X	X	X	X		X	X	X	X				X	X		X
Oklahoma	X	X						X	X	X					X	X	X	X
Oregon	X	X	X	X	X			X	X	X	X							
Puerto Rico	X	X													X		X	
Rhode Island	X	X	X	X	X	X		X	X	X	X				X	X	X	X
South Dakota	X							X	X	X	X						X	X
South Carolina																		
Tennessee	X	X	X	X				X	X	X					X	X	X	X
Texas	X	X						X	X	X	X				X	X	X	X
Utah		X	X	X	X	X		X	X	X	X							
Vermont	X	X																
Virginia	X	X	X	X	X	X		X	X	X	X							
Washington	X	X	X	X	X	X		X	X	X	X						X	X
West Virginia	X	X							X	X	X				X	X	X	X
Wisconsin	X	X	X	X	X			X	X	X	X				X	X	X	X
Wyoming	X	X						X	X		X				X	X	X	X
<b>Total:</b>	<b>44</b>	<b>44</b>	<b>32</b>	<b>32</b>	<b>27</b>	<b>24</b>	<b>5</b>	<b>37</b>	<b>39</b>	<b>36</b>	<b>28</b>	<b>35</b>	<b>3</b>	<b>11</b>	<b>29</b>	<b>28</b>	<b>29</b>	<b>32</b>
<b>% of Respondents:</b>	<b>85%</b>	<b>85%</b>	<b>62%</b>	<b>62%</b>	<b>52%</b>	<b>46%</b>	<b>10%</b>	<b>71%</b>	<b>75%</b>	<b>69%</b>	<b>54%</b>	<b>67%</b>	<b>6%</b>	<b>21%</b>	<b>56%</b>	<b>54%</b>	<b>56%</b>	<b>62%</b>

State	Which processes are, or can be, performed by Abstracters?						Which processes are, or can be, performed by Escrow/Settlement Agents?					
	Risk Transfer	Policy Production / Issuance	Title Search or Abstract	Examination of Title	Clearing Title Defects	Escrow & Closing	Risk Transfer	Policy Production / Issuance	Title Search or Abstract	Examination of Title	Clearing Title Defects	Escrow & Closing
Alabama			X	X								X
Alaska			X	X	X	X						X
Arizona										X		X
Arkansas			X	X	X	X						X
California			X									X
Colorado			X									X
Connecticut												
Delaware												
Dist of Columbia												
Florida - DFS			X									X
Florida - OIR			X									X
Georgia			X									X
Hawaii												
Idaho												X
Illinois												
Indiana			X	X					X	X	X	X
Iowa												
Kansas			X	X								X
Kentucky			X									X
Louisiana			X	X								X
Maine			X									X
Maryland			X				X	X	X	X	X	X
Massachusetts												
Michigan												
Minnesota			X	X								X
Missouri										X		X
Montana			X									X
Mississippi												
Nebraska			X	X								X
Nevada												
New Hampshire			X	X	X	X		X	X	X	X	X
New Jersey			X									X
New Mexico												X
New York												
North Carolina			X					X	X			X
North Dakota			X									X
Ohio			X									X
Oklahoma												
Oregon										X		X
Puerto Rico			X									
Rhode Island			X	X	X	X		X	X	X	X	X
South Dakota		X	X	X	X							X
South Carolina												
Tennessee			X									X
Texas			X									X
Utah		X	X	X						X		X
Vermont												
Virginia							X	X	X	X	X	X
Washington			X							X		X
West Virginia												
Wisconsin												
Wyoming			X	X								X
<b>Total:</b>	<b>0</b>	<b>2</b>	<b>30</b>	<b>13</b>	<b>5</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>8</b>	<b>8</b>	<b>12</b>	<b>35</b>
<b>% of Respondents:</b>	<b>0%</b>	<b>4%</b>	<b>58%</b>	<b>25%</b>	<b>10%</b>	<b>10%</b>	<b>0%</b>	<b>4%</b>	<b>15%</b>	<b>15%</b>	<b>23%</b>	<b>67%</b>

State	Which of these participants do you license?						From which of the following do you require a title agent license?				
	Title Insurers	Title Agents	Attorneys	Abstracters	Escrow / Settlement Agents	N/A	Title Agencies	Individual Title Agents	Both	Neither	N/A
Alabama	X	X							X		
Alaska	X	X			X				X		
Arizona	X	X					X				
Arkansas		X						X			
California	X	X					X				
Colorado	X	X	X					X			
Connecticut	X								X		
Delaware	X	X	X					X			
Dist of Columbia						X					X
Florida - DFS		X						X			
Florida - OIR	X										X
Georgia	X	X						X			
Hawaii	X	X						X			
Idaho	X	X						X			
Illinois	X	X			X			X			
Indiana	X	X					X	X			
Iowa						X					X
Kansas	X	X						X			
Kentucky	X								X		
Louisiana	X	X					X	X	X		
Maine	X	X	X					X			
Maryland	X	X						X			
Massachusetts						X					X
Michigan	X	X						X			
Minnesota	X	X						X			
Missouri	X	X						X			
Montana	X	X	X				X	X			
Mississippi	X	X						X			
Nebraska	X	X						X			
Nevada	X	X						X			
New Hampshire	X	X						X			
New Jersey	X	X						X			
New Mexico	X	X						X			
New York	X								X		
North Carolina	X							X			
North Dakota	X	X						X			
Ohio	X	X						X			
Oklahoma	X	X						X			
Oregon	X	X						X			
Puerto Rico	X	X						X			
Rhode Island	X	X						X			
South Dakota	X	X	X	X				X			
South Carolina	X	X						X			
Tennessee	X	X						X			
Texas	X	X			X		X				
Utah	X	X		X	X			X			
Vermont	X										X
Virginia	X	X			X			X			
Washington	X	X					X				
West Virginia	X	X						X			
Wisconsin	X	X	X					X			
Wyoming	X	X						X			
<b>Total:</b>	<b>47</b>	<b>43</b>	<b>6</b>	<b>2</b>	<b>5</b>	<b>3</b>	<b>7</b>	<b>7</b>	<b>34</b>	<b>3</b>	<b>5</b>
<b>% of Respondents:</b>	<b>90%</b>	<b>83%</b>	<b>12%</b>	<b>4%</b>	<b>10%</b>	<b>6%</b>	<b>13%</b>	<b>13%</b>	<b>65%</b>	<b>6%</b>	<b>10%</b>

State	Do you require or allow the use of attorneys in lieu of title agents?				Do you require them to be licensed as title agents?		What roles do these attorneys perform?				Does their role vary geographically within your state?		
	Require	Allow	Don't Allow	N/A	Yes	No	Policy Production / Issuance	Review Abstracts and Provide Opinions	Conduct Closings	Supervise Employees Who Conduct Closings	Yes	No	N/A
Alabama			X										
Alaska			X										
Arizona			X										
Arkansas			X										
California			X										
Colorado		X			X		X	X	X	X		X	
Connecticut	X												
Delaware	X												
Dist of Columbia				X									
Florida - DFS		X				X	X	X	X		X		
Florida - OIR				X									
Georgia				X									
Hawaii				X									
Idaho			X										
Illinois				X									
Indiana			X										
Iowa				X									
Kansas			X										
Kentucky		X				X	X	X	X		X		
Louisiana			X										
Maine		X			X		X	X	X				X
Maryland			X		X								
Massachusetts				X									
Michigan			X										
Minnesota			X										
Missouri			X										
Montana		X				X		X	X		X		
Mississippi		X				X	X				X		
Nebraska			X										
Nevada			X										
New Hampshire			X		X		X	X	X		X		
New Jersey				X									
New Mexico			X										
New York				X									
North Carolina	X												
North Dakota		X			X			X					X
Ohio			X										
Oklahoma		X				X	X	X	X		X		
Oregon			X										
Puerto Rico			X										
Rhode Island		X			X		X				X		
South Dakota			X										
South Carolina			X										
Tennessee		X				X	X	X	X		X		
Texas				X									
Utah				X									
Vermont				X									
Virginia			X										
Washington			X										
West Virginia		X			X		X	X	X		X		
Wisconsin		X			X		X	X	X		X		
Wyoming		X				X	X	X	X		X		
<b>Total:</b>	<b>3</b>	<b>13</b>	<b>24</b>	<b>12</b>	<b>8</b>	<b>7</b>	<b>11</b>	<b>12</b>	<b>11</b>	<b>11</b>	<b>0</b>	<b>12</b>	<b>2</b>
<b>% of Respondents:</b>	<b>6%</b>	<b>25%</b>	<b>46%</b>	<b>23%</b>	<b>15%</b>	<b>13%</b>	<b>21%</b>	<b>23%</b>	<b>21%</b>	<b>21%</b>	<b>0%</b>	<b>23%</b>	<b>4%</b>

**For title participants not licensed by you, who are they licensed by?**

<b>State</b>	<b>Title Agents</b>	<b>Attorneys</b>	<b>Abstracters</b>	<b>Escrow / Settlement Agents</b>
Alabama		Alabama State Bar		
Alaska		Alaska Bar Association		
Arizona				AZ DFI
Arkansas		Arkansas Supreme Court	Arkansas Abstractor's Board of Examiners	Completely unlicensed
California		The State Bar of CA		CA Department of Corporations
Colorado			Completely unlicensed	Completely unlicensed
Connecticut		The BAR		
Delaware				
Dist of Columbia	Completely unlicensed	District of Columbia Court of Appeals	Completely unlicensed	Completely unlicensed
Florida - DFS	Dept of Financial Services	Florida Bar	Abstracters are not licensed in Florida, although we do require anyone performing a title search to have errors and omission insurance. We enforce this by requiring our licensees to only accept search results from entities that are insured.	Escrow agents are not licensed as such in Florida. However, the Florida Statutes do limit who may handle escrow funds in Florida. (See question # 17) Settlement Agents are not licensed in Florida. The only caveat would be that one of the people attending a closing must be a notary public to notarize the signatures of the parties to the transaction. Documents that are not notarized will not be recorded in the official records of a county.
Florida - OIR				
Georgia		Georgia Bar		
Hawaii		Hawaii State Bar Association		
Idaho			Not licensed	Dept of Finance
Illinois		All title agents must be registered by a title insurance company, even attorneys licensed to practice law by the Illinois Supreme Court. Throughout, where you use the term license, I take that as the equivalent for registration of title agents in Illinois.	Completely unlicensed	
Indiana				
Iowa		Iowa Supreme Court		
Kansas			Kansas Board of Abstracters	
Kentucky	Completely unlicensed	KY Bar Association	unknown if any	unknown if any
Louisiana		Louisiana State Bar Association		Louisiana Office of Financial Institutions
Maine		Maine Supreme Judicial Court		Office of Consumer Credit Protection, as of 09/12/09
Maryland		Maryland State Bar		Maryland Insurance Administration
Massachusetts		board of bar overseers	Completely unlicensed	
Michigan				
Minnesota		If acting as a title agent, must have a title agent license.		Dept. of Commerce, Real Estate Statute Section 82.41
Missouri		Supreme Court of Missouri, Missouri Bar Association	Completely unlicensed	Completely unlicensed
Montana		Montana Bar Association	Completely unlicensed	Dept of Administration under MCA 32-7-101
Mississippi		Mississippi Bar Association		
Nebraska		Nebraska Bar Association	Nebraska Board of Abstractors	Completely unlicensed
Nevada				Nevada Division of Mortgage Lending (if escrow agency only - escrow officers employed by title agencies are regulated by Division of Insurance)
New Hampshire		NH Bar Association	Completely unlicensed	Completely unlicensed
New Jersey		NJ Supreme Court to practice law	Completely unlicensed	
New Mexico				
New York	Completely unlicensed		Completely unlicensed	Completely unlicensed
North Carolina			Completely unlicensed	Completely unlicensed
North Dakota				
Ohio		Ohio Supreme Court		Completely unlicensed
Oklahoma		Oklahoma Bar Association	Oklahoma Abstractors Board and the DOI	Completely unlicensed
Oregon		Oregon State Bar		Oregon Real Estate Agency
Puerto Rico		Supreme Court of the Commonwealth of Puerto Rico	Completely unlicensed	
Rhode Island		RI Supreme Court	Completely unlicensed	Completely unlicensed
South Dakota	SD Abstracters Board of Examiners	SD Abstracters Board of Examiners	SD Abstracters Board of Examiners	
South Carolina				
Tennessee				
Texas				
Utah		The Bar		
Vermont		Vermont Bar Association		
Virginia		State Bar	Completely unlicensed	
Washington				Both Insurance Commissioner and Department of Financial Institutions
West Virginia				
Wisconsin				Completely unlicensed
Wyoming		Wyoming Bar Association	Completely unlicensed	Completely unlicensed

	Are title insurers required to appoint the title agents they use?			Are you authorized to review contracts between title insurers and title agents?			Are you required to keep the details of these contracts confidential?		
	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A
Alabama	X			X				X	
Alaska	X			X			X		
Arizona	X					X			
Arkansas	X			X			X		
California	X			X				X	
Colorado		X		X				X	
Connecticut					X				
Delaware	X					X			
Dist of Columbia			X			X			
Florida - DFS	X			X				X	
Florida - OIR	X			X				X	
Georgia	X			X					
Hawaii	X				X				
Idaho	X			X			X		
Illinois	X			X			X		
Indiana	X			X			X		
Iowa			X			X			
Kansas	X				X				
Kentucky		X			X				
Louisiana	X			X					X
Maine	X			X			X		
Maryland	X			X			X		
Massachusetts			X			X			
Michigan	X			X			X		
Minnesota	X			X			X		
Missouri	X			X			X		
Montana	X			X					X
Mississippi	X				X				
Nebraska	X			X					
Nevada	X			X				X	
New Hampshire	X			X			X		
New Jersey	X			X				X	
New Mexico	X			X				X	
New York		X			X				
North Carolina	X				X				
North Dakota	X				X				
Ohio	X				X				
Oklahoma	X			X				X	
Oregon	X			X			X		
Puerto Rico	X			X				X	
Rhode Island		X				X			X
South Dakota	X				X				
South Carolina	X					X			
Tennessee	X				X				
Texas	X			X					X
Utah	X			X			X		
Vermont					X				
Virginia	X			X			X		
Washington	X			X				X	
West Virginia	X			X			X		
Wisconsin	X			X				X	
Wyoming	X			X			X		
<b>Total:</b>	<b>43</b>	<b>4</b>	<b>3</b>	<b>33</b>	<b>12</b>	<b>7</b>	<b>16</b>	<b>12</b>	<b>4</b>
<b>% of Respondents:</b>	<b>83%</b>	<b>8%</b>	<b>6%</b>	<b>63%</b>	<b>23%</b>	<b>13%</b>	<b>31%</b>	<b>23%</b>	<b>8%</b>

State	Are title insurers liable for losses resulting from defalcations by title agents?			Are title insurers liable for losses resulting from defalcations by escrow/settlement agents?			If title insurers are liable for losses resulting from defalcations, is that liability imposed by...			
	Yes	No	N/A	Yes	No	N/A	Statute	Common Law	Contract	Other
Alabama	X					X				
Alaska	X			X				X		
Arizona										
Arkansas	X			X					X	
California	X			X				X		
Colorado	X			X			X			
Connecticut										
Delaware										
Dist of Columbia										
Florida - DFS	X					X				
Florida - OIR	X			X			X			
Georgia	X			X					X	
Hawaii										
Idaho	X				X					
Illinois	X			X						X
Indiana	X			X				X		
Iowa										
Kansas										
Kentucky										
Louisiana	X			X			X			
Maine	X			X					X	
Maryland	X			X			X			
Massachusetts										
Michigan		X			X					
Minnesota	X			X			X			
Missouri	X				X					
Montana		X			X					
Mississippi										
Nebraska	X			X			X			
Nevada	X					X				
New Hampshire	X					X		X		
New Jersey	X			X				X		
New Mexico		X			X					
New York										
North Carolina										
North Dakota										
Ohio					X				X	
Oklahoma	X			X				X		
Oregon	X			X					X	
Puerto Rico	X				X					
Rhode Island	X			X					X	
South Dakota										
South Carolina										
Tennessee										
Texas			X			X				
Utah	X				X					
Vermont										
Virginia	X			X						
Washington		X			X					
West Virginia	X			X				X		
Wisconsin		X			X					
Wyoming	X				X					
<b>Total:</b>	<b>28</b>	<b>5</b>	<b>1</b>	<b>19</b>	<b>11</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>6</b>	<b>1</b>
<b>% of Respondents:</b>	<b>54%</b>	<b>10%</b>	<b>2%</b>	<b>37%</b>	<b>21%</b>	<b>10%</b>	<b>12%</b>	<b>13%</b>	<b>12%</b>	<b>2%</b>

State	Is a title search required before a title policy is issued?			Are title insurers required to maintain a title plant?			Can the title plant's records be electronic?			Do you consider searches conducted from publicly available recorders' Web sites to be acceptable			Do you permit title plants to offer their records via a Web portal?		
	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A
Alabama	X				X										
Alaska	X			X			X				X				
Arizona	X			X					X			X			X
Arkansas	X				X										
California		X			X										
Colorado	X				X										
Connecticut	X				X										
Delaware			X		X										
Dist of Columbia			X			X									
Florida - DFS	X				X										
Florida - OIR	X				X										
Georgia	X				X										
Hawaii						X									
Idaho	X			X			X				X		X		
Illinois	X				X										
Indiana	X				X										
Iowa			X			X									
Kansas	X				X										
Kentucky		X			X										
Louisiana			X			X									
Maine		X			X										
Maryland		X			X										
Massachusetts			X			X									
Michigan		X			X										
Minnesota	X				X										
Missouri	X				X										
Montana	X				X										
Mississippi			X			X									
Nebraska		X			X										
Nevada	X				X										
New Hampshire		X			X			X			X				X
New Jersey	X				X										
New Mexico	X			X			X				X				X
New York			X			X									
North Carolina	X				X										
North Dakota	X			X			X				X				X
Ohio	X				X				X		X				X
Oklahoma	X				X										
Oregon	X			X			X				X		X		
Puerto Rico			X		X										
Rhode Island		X			X		X			X			X		
South Dakota	X			X				X			X			X	
South Carolina	X				X										
Tennessee	X				X										
Texas			X	X			X				X		X		
Utah	X				X										
Vermont					X										
Virginia	X				X										
Washington		X		X			X				X		X		
West Virginia	X					X									
Wisconsin		X			X										
Wyoming	X				X										
<b>Total:</b>	<b>31</b>	<b>10</b>	<b>9</b>	<b>9</b>	<b>35</b>	<b>8</b>	<b>8</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>5</b>	<b>6</b>	<b>5</b>	<b>1</b>	<b>6</b>
<b>% of Respondents:</b>	<b>60%</b>	<b>19%</b>	<b>17%</b>	<b>17%</b>	<b>67%</b>	<b>15%</b>	<b>15%</b>	<b>2%</b>	<b>6%</b>	<b>2%</b>	<b>10%</b>	<b>12%</b>	<b>10%</b>	<b>2%</b>	<b>12%</b>

State	In your state, closing protection letters are:						To whom are they provided?				Can title insurers issue closing protection letters?			If closing protection letters are used, how are they paid?				
	Required	Voluntary and Usually Used	Voluntary and Usually Not Used	Prohibited Yet Probably Issued	Prohibited and Not Issued	N/A	Buyer	Seller	Both	N/A	Yes	No	N/A	By a Separate Charge to Consumer	By a Separate Charge to Lender	Included in the Rate	No Charge	N/A
Alabama		X					X				X						X	
Alaska			X															
Arizona						X												
Arkansas		X						X			X			X				
California		X							X		X						X	
Colorado		X					X				X						X	
Connecticut						X												
Delaware						X												
Dist of Columbia						X												
Florida - DFS		X							X		X				X			
Florida - OIR		X					X				X				X			
Georgia				X								X						
Hawaii						X												
Idaho		X							X		X				X			
Illinois		X					X				X						X	
Indiana		X						X			X						X	
Iowa						X												
Kansas		X						X			X			X				
Kentucky						X												
Louisiana			X															
Maine		X							X		X							X
Maryland		X					X				X						X	
Massachusetts						X												
Michigan		X							X		X						X	
Minnesota		X					X				X						X	
Missouri		X						X			X			X				
Montana						X												
Mississippi						X												
Nebraska	X										X			X				
Nevada		X					X				X							
New Hampshire		X						X			X				X			
New Jersey		X							X		X			X				
New Mexico			X															
New York					X													
North Carolina		X					X				X			X				
North Dakota		X							X			X						X
Ohio			X					X			X							
Oklahoma						X												
Oregon			X															
Puerto Rico						X												
Rhode Island		X						X			X				X			
South Dakota		X							X		X			X				
South Carolina						X												
Tennessee				X														
Texas		X							X		X						X	
Utah		X							X		X				X			
Vermont		X									X							
Virginia		X							X		X						X	
Washington		X							X		X						X	
West Virginia						X												
Wisconsin			X															
Wyoming			X															
<b>Total:</b>	<b>1</b>	<b>27</b>	<b>7</b>	<b>2</b>	<b>1</b>	<b>14</b>	<b>8</b>	<b>0</b>	<b>7</b>	<b>12</b>	<b>28</b>	<b>1</b>	<b>1</b>	<b>5</b>	<b>2</b>	<b>7</b>	<b>11</b>	<b>2</b>
<b>% of Respondents:</b>	<b>2%</b>	<b>52%</b>	<b>13%</b>	<b>4%</b>	<b>2%</b>	<b>27%</b>	<b>15%</b>	<b>0%</b>	<b>13%</b>	<b>23%</b>	<b>54%</b>	<b>2%</b>	<b>2%</b>	<b>10%</b>	<b>4%</b>	<b>13%</b>	<b>21%</b>	<b>4%</b>

State	Do you require title agents to put title premiums into separate trust accounts rather than general escrow accounts?			Do you require settlement funds to be held in escrow / trust accounts?			Do you require the maintenance of surety bonds or fidelity insurance?					What is the required amount of surety or fidelity coverage?
	Yes	No	N/A	Yes	No	N/A	Required for Title Agents Only	Required for Escrow Officers Only	Required for Both	Not Required	N/A	
Alabama		X			X						X	N/A
Alaska	X			X							X	
Arizona		X		X							X	
Arkansas		X			X						X	n/a
California	X			X							X	N/A
Colorado		X		X							X	n/a
Connecticut			X			X					X	
Delaware			X			X					X	N/A
Dist of Columbia			X			X					X	
Florida - DFS		X		X			X					\$35,000 surety bond and at least \$50,000 fidelity
Florida - OIR	X			X			X					N/A
Georgia											X	
Hawaii	X				X						X	
Idaho		X		X				X				\$10,000/escrow officer max \$50,000
Illinois		X		X							X	
Indiana	X			X							X	
Iowa			X			X					X	N/A
Kansas	X			X			X					\$100,000/50,000/25,000 based on size of County
Kentucky			X			X					X	
Louisiana		X			X						X	n/a
Maine		X			X						X	n/a
Maryland		X		X				X				150,000 surety and fidelity bonds
Massachusetts			X			X					X	
Michigan		X		X							X	N/A
Minnesota		X		X			X					
Missouri	X			X			X				X	
Montana		X		X							X	
Mississippi	X			X							X	
Nebraska		X		X				X				\$100,000
Nevada	X			X			X					2% average collected trust account
New Hampshire	X					X					X	n/a
New Jersey	X			X							X	
New Mexico		X			X						X	
New York			X			X					X	
North Carolina		X		X							X	not applicable
North Dakota		X			X						X	
Ohio		X		X			X					Title agents must maintain \$250,000 E&O coverage.
Oklahoma		X			X						X	
Oregon	X			X							X	
Puerto Rico		X				X					X	
Rhode Island		X			X						X	
South Dakota		X		X				X				Statutory based on county population
South Carolina								X				
Tennessee	X			X			X					varies
Texas	X			X					X			50,000
Utah	X			X					X			
Vermont			X			X					X	
Virginia		X		X			X					200,000
Washington		X		X					X			\$200,000
West Virginia			X			X					X	N/A
Wisconsin		X			X						X	
Wyoming	X			X							X	
<b>Total:</b>	<b>16</b>	<b>25</b>	<b>9</b>	<b>29</b>	<b>9</b>	<b>12</b>	<b>8</b>	<b>3</b>	<b>5</b>	<b>25</b>	<b>11</b>	
<b>% of Respondents:</b>	<b>31%</b>	<b>48%</b>	<b>17%</b>	<b>56%</b>	<b>17%</b>	<b>23%</b>	<b>15%</b>	<b>6%</b>	<b>10%</b>	<b>48%</b>	<b>21%</b>	

	<b>Statutes and Regulations Regarding Data Collection from Title Participants</b>
<b>State</b>	
Alabama	Ala. Code § 27-2-7(1975)
Alaska	AS 21.66.120; AS 21.66.380; 3 AAC 27.301-320 and 3 AAC 27.340
Arizona	ARS § 20-223 (Annual Statement).
Arkansas	Ark. Code Ann. § 23-103-411
California	CIC 12401.5, 12414.21, California Code of Regulations Title 10 (CCR) 2355.1, 2355.2, 2355.4.
Colorado	§10-1-204, CRS et seq, and §10-2-804, CRS
Connecticut	
Delaware	N/A
Dist of Columbia	
Florida - DFS	Florida Statutes §877.101:
Florida - OIR	Section 627.782(8), Florida Statutes; Rule 690-186.013, Florida Administrative Code
Georgia	O.C.G.A. Secs. 33-2-11, 12, and 13
Hawaii	
Idaho	Idaho Code Title 41 Chapter 27
Illinois	
Indiana	
Iowa	N/A
Kansas	K.S.A. 40-1138
Kentucky	
Louisiana	LSA-R.S. 22:511, et seq.
Maine	24-A MRSA § 220 if regulated by the Bureau of Insurance
Maryland	Annotated Code of Maryland, Title 2, Subtitle 2 - Enforcement Sections 2-205, 2-206, 2-207, 2-208
Massachusetts	
Michigan	MCL 500.1246 and MCL 500.249
Minnesota	Minn. Stat. 45.027
Missouri	381.122, 374.205, 20 CSR 100-7.005
Montana	The Commissioner can audit or examine at any time under MCA 33-25-201(9) and 33-1-401, et seq.
Mississippi	
Nebraska	Neb. Rev. Stat. 44-5905 and 44-19,110
Nevada	NRS 692A.260; NRS 679B.120 (general authority); NRS 679B.140 (by order); NRS 679B.340 (in connection with hearing, examination or investigation)
New Hampshire	RSA 400-A:37
New Jersey	N.J.S.A. 17:46B-41 et. seq.
New Mexico	59A-30-7 NMSA 1978; 13.14.16 and 13.14.17 NMAC
New York	Article 23
North Carolina	NCGS 58-27-15 & 58-26-10 & 58-2-190
North Dakota	North Dakota Century Code 26.1-03
Ohio	Ohio Revised Code 3901.011
Oklahoma	none
Oregon	ORS 731.296
Puerto Rico	Sections 2.110, 2.120 and 9.370 of the Insurance Code
Rhode Island	N/A
South Dakota	SDCL Title 58-25
South Carolina	
Tennessee	Chapter 35 of Title 56 and TN Rule 0780-1-12
Texas	§2703 Texas Insurance Code
Utah	R592-11
Vermont	
Virginia	6.1-2.21
Washington	RCW 48.29.147
West Virginia	W. Va. Code 30-20-1 et seq.
Wisconsin	s. 601.42, Wis. Stat.
Wyoming	W.S. 26-23-319

	<b>Statutes and Regulations Regarding Title Rate Regulation</b>
<b>State</b>	
Alabama	Ala. Code § 27-25-6(1975)
Alaska	AS 21.66.390-410. 3 AAC 27.301-399
Arizona	Arizona Revised Statutes ("ARS") §§ 20-375 and 20-376.
Arkansas	N/A
California	California Insurance Code (CIC) 12401 – 12401.10, 12404 – 12413.5
Colorado	§10-11-118, CRS
Connecticut	38a-419
Delaware	18Del.C.cl 25
Dist of Columbia	
Florida - DFS	Florida Statutes §877.101:
Florida - OIR	Sections 627.782 and 627.783, Florida Statutes; Rules 69O-186.003 and 69O-186.004, Florida Administrative Code
Georgia	
Hawaii	
Idaho	Idaho Code Title 41 Chapter 27
Illinois	215 ILCS 155/19
Indiana	
Iowa	Iowa prohibits the sale of title insurance in Iowa: Iowa Code section 515.48(10)(2009).
Kansas	K.S.A. 40-952(c)
Kentucky	KRS 304.22-020
Louisiana	LSA-R.S. 22:1451, et seq.
Maine	24-A MRSA § 2302(1)(D)
Maryland	Annotated Code of Maryland, Title 11, Subtitle 4 - Title Insurance Rating
Massachusetts	
Michigan	MCL 500.7312 and Ch-12 MCL 500.2400-500.2484
Minnesota	Minn. Stat. 70A
Missouri	<a href="http://insurance.mo.gov/laws/381title.htm">http://insurance.mo.gov/laws/381title.htm</a> 381.171, 381.181, 381.201, 20 CSR 500-7.100
Montana	33-25-212
Mississippi	Miss. Code Ann. § 83-2-3
Nebraska	Neb. Rev. Stat. 44-1997
Nevada	NRS 692A.120
New Hampshire	RSA 412, RSA 416-A
New Jersey	N.J.S.A. 17:46B-41 et. seq.
New Mexico	59A-30-6 NMSA 1978; 59A-30-3(C),(D),(E) NMSA 1978
New York	Article 23 Article 64
North Carolina	NCGS 58-40-15
North Dakota	North Dakota Century Code 26.1-25
Ohio	Ohio Revised Code 3935.03
Oklahoma	None
Oregon	ORS 737.310, ORS 737.320, ORS 737.230
Puerto Rico	Chapter 12 of the Insurance Code. Specifically Section 12.040
Rhode Island	R.I. Gen. Laws §27-9-7
South Dakota	SDCL Title 58-25
South Carolina	
Tennessee	Chapter 35 of Title 56 and TN Rule 0780-1-12
Texas	§2703 Texas Insurance Code
Utah	R592-3 and 4
Vermont	
Virginia	38.2-4608
Washington	RCW 48.29.140 & RCW 48.29.147
West Virginia	W. Va. Code 33-20-3(e)
Wisconsin	s. 625, Wis. Stat. & s. Ins 3.32, Wis. Adm. Code
Wyoming	W.S. 26-23-325

	<b>Statutes and Regulations Regarding Confidentiality and Public Disclosure of Title Data</b>
<b>State</b>	
Alabama	Ala. Code § 27-2-14,-24(c)(1975)
Alaska	AS 21.06.150(g) and AS 21.66.380(b)
Arizona	ARS §§ 20-153, 20-157.01(B) and 20-158(D).
Arkansas	Ark. Code Ann. § 23-61-103(d)(2)
California	CIC 12919; Civil Code Section 3426 et. Seq. (Uniform Trade Secrets Act); Govt. Code Section 6254(d) (contained within the Public Records Act)
Colorado	Colorado Open Records Act (CORA), §24-72-201, CRS et seq
Connecticut	
Delaware	N/A
Dist of Columbia	
Florida - DFS	Florida Statutes §877.101:
Florida - OIR	Section 624.4213, Florida Statutes
Georgia	O.C.G.A. Sec. 33-2-14(g)
Hawaii	
Idaho	Idaho Code Sections 9-337 to 9-350
Illinois	
Indiana	
Iowa	N/A
Kansas	N/A
Kentucky	
Louisiana	N/A
Maine	24-A MRSA § 220
Maryland	Annotated Code of Maryland, Title 2 - Enforcement Sections 2-209, 10-118
Massachusetts	
Michigan	MCL 500.226 and MCL 500.1246
Minnesota	Minn. Stat. 60A.03, subd. 9
Missouri	374.205, 374.070, 374.071, 20 CSR 10-2.400(3)(K)
Montana	
Mississippi	
Nebraska	Neb. Rev. Stat. 44-5906
Nevada	NRS 692A.117; NRS 679B.190
New Hampshire	RSA 400-A:25, RSA 400-A:37
New Jersey	NA
New Mexico	59A-30-8 NMSA 1978; 59A-17-11.1 NMSA 1978
New York	
North Carolina	NCGS Chapter 132-6; 132-1.2
North Dakota	
Ohio	Ohio Revised Code 149.43, 3901.045, 3901.36, 3901.48, 3905.24
Oklahoma	36 O.S. §306
Oregon	ORS 731.752
Puerto Rico	Section 2.090 of the Insurance Code
Rhode Island	Examinations §27-13.1 Producers §27-2.4; Market Analysis §27-71
South Dakota	SDCL Title 1-27
South Carolina	
Tennessee	TCA 56-5-307(a)
Texas	§2703 Texas Insurance Code
Utah	Gamma request
Vermont	
Virginia	6.1-2.27:1
Washington	N/A
West Virginia	Not in insurance code - WV's FOIA in W. Va. Code 29B-1-1 et seq. would control.
Wisconsin	s. 134.90 (1) (c), Wis. Stat.
Wyoming	

<b>State</b>	<b>Statutes and Regulations Regarding Use of Attorneys as Title Participants</b>
Alabama	N/A
Alaska	
Arizona	None
Arkansas	N/A
California	
Colorado	§10-2-401, CRS
Connecticut	CT General Statutes Section 38a-402 (13) requires title agents to be duly licensed CT attorneys.
Delaware	18 Del C 1709 (c)
Dist of Columbia	
Florida - DFS	Florida Statutes §626.8417(4)(a)(c)
Florida - OIR	Section 626.8417(4)(a), Florida Statutes
Georgia	
Hawaii	
Idaho	N/A
Illinois	215 ILCS 155/16
Indiana	
Iowa	N/A
Kansas	N/A
Kentucky	
Louisiana	LSA-R.S. 22:511, et seq.
Maine	24-A MRSA § 1420-H (exemption from producer examination)
Maryland	Annotated Code of Maryland, Title 10, Subtitle 1, Section 10-125 Attorneys.
Massachusetts	
Michigan	N/A
Minnesota	Minn. Stat. 60K.32. Must be licensed if engaging in title insurance.
Missouri	381.031.3, 381.031.17
Montana	MCA 33-25-214
Mississippi	Miss. Code Ann. § 83-15-3
Nebraska	N/A
Nevada	N/A
New Hampshire	RSA 402-J, RSA 416-A
New Jersey	N.J.S.A. 17:46B-1(h)
New Mexico	N/A
New York	
North Carolina	NCGS 58-26-1 (a)
North Dakota	
Ohio	N/A
Oklahoma	36 O.S. §5001(C)
Oregon	
Puerto Rico	
Rhode Island	Rhode Island General Laws §27-2.4
South Dakota	SDCL Title 36-13
South Carolina	
Tennessee	Chapter 6 of Title 56
Texas	§2552 Texas Insurance Code
Utah	N/A
Vermont	
Virginia	
Washington	N/A
West Virginia	N/A (not in insurance code - could be elsewhere in WV code)
Wisconsin	s. 628.03, Wis. Stat.
Wyoming	26-23-302

	<b>Statutes and Regulations Regarding the Licensing of Title Participants</b>
<b>State</b>	
Alabama	Ala. Code § 27-3-7(1975) Ala. Code § 27-25-4(1975)
Alaska	AS 21.27.010 et seq.; AS 21.66.270; AS 21.27.150(2)
Arizona	ARS §§ 20-1561 through 20-1563 (Title insurers and title agents only).
Arkansas	Ark. Code Ann. § 23-103-401 et seq.
California	Title Insurers: CIC 699 et seq Underwritten Title Companies: CIC 12389 et seq Escrow/Settlement Agents: California Dept. of Corporations
Colorado	§10-2-401, CRS
Connecticut	
Delaware	18Del.C.cl 17
Dist of Columbia	
Florida - DFS	Agents & Agencies: Florida Statutes Chapter 626, Part V
Florida - OIR	Insurers: Chapter 624, Part III, Florida Statutes; Agents: Chapter 626, Part V, Florida Statutes
Georgia	O.C.G.A. Secs. 33-23-1 et seq.
Hawaii	
Idaho	Idaho Code Title 41 Chapter 27
Illinois	215 ILCS 155/3; 155/4; 155/16; 155/17
Indiana	
Iowa	N/A
Kansas	K.S.A. 40-4903
Kentucky	
Louisiana	LSA-R.S. 22:511, et seq.
Maine	24-A MRSA § 1420, et seq. for agents 24-A MRSA § 404 for insurers
Maryland	Annotated Code of Maryland, Title 10, Subtitle 1 - Insurance Producers
Massachusetts	
Michigan	MCL 500.7302, MCL 500.7303, MCL 500.7317, CH-12 MCL 500.1200-1247
Minnesota	Minn. Stat. 60K.32
Missouri	381.052, 381.058, 381.115, 381.118, 375.014
Montana	33-17-201
Mississippi	Miss. Code Ann. § 83-15-3
Nebraska	Neb. Rev. Stat. 44-1982 and 44-19,109
Nevada	NRS 692A.100 - NRS 692A.104
New Hampshire	RSA 402-J, RSA 416-A
New Jersey	N.J.S.A. 17:22A-26 et. seq.
New Mexico	59A-30-3(G),(I) NMSA 1978; 13.14.2 NMAC
New York	
North Carolina	NCGS 58-26-10
North Dakota	North Dakota Century Code 26.1-20
Ohio	Ohio Revised Code 3905.02, 3953.01, 3953.21
Oklahoma	36 O.S. §1435.8(A)(9)agents 36 O.S. §5001(A) insurers
Oregon	ORS 744.053, ORS 744.086
Puerto Rico	For insurers - Chapter 3. Other participants-Chapter 9; mainly Sections 9.021,9.040 and 9.063
Rhode Island	Rhode Island General Laws §27-1, §27-2 and §27-2.4
South Dakota	SDCL Title 36-13
South Carolina	
Tennessee	Chapter 6 of Title 56
Texas	§2651, 2652 Texas Insurance Code
Utah	31A-23a-103
Vermont	
Virginia	38.2-1822, 1814.1,
Washington	RCW 48.05.030 & RCW 48.17.060
West Virginia	Insurers - W. Va. Code 33-3-1 et seq Agents -- W. Va. Code 33-12-1 et seq adjusters -- W. Va. Code 33-12B-1 et seq.
Wisconsin	Insurers - s. 610.11, Wis. Stat. Agents - s. 628.03, Wis. Stat.
Wyoming	26-23-316

<b>State</b>	<b>Statutes and Regulations Regarding the Relationship Between Title Insurers and Title Agents</b>
Alabama	Ala. Code §§ 27-25-4,-5,-7(1975)
Alaska	AS 21.66.200, 210, 240
Arizona	ARS §§ 20-1584 (Right to pay commission) and 20-1590 (Permitted division of fees).
Arkansas	Ark. Code Ann. § 23-103-407
California	Title Insurer defined in CIC 12340.4 Underwritten Title Company defined in CIC 12340.5
Colorado	§10-11-116, CRS
Connecticut	
Delaware	N/A
Dist of Columbia	
Florida - DFS	Florida Statutes §626.8417(4)(a)(c)
Florida - OIR	Chapter 626, Part V, Florida Statutes and Chapter 627, Part XIII, Florida Statutes
Georgia	
Hawaii	
Idaho	Idaho Code Title 41 Chapter 27
Illinois	
Indiana	
Iowa	N/A
Kansas	N/A
Kentucky	
Louisiana	LSA-R.S. 22:511, et seq.
Maine	24-A MRSA § 2422, § 1420-M, § 1445
Maryland	Annotated Code of Maryland, Title 10, Subtitle 1, Section 10-118 Appointments.
Massachusetts	
Michigan	MCL 500.7317 and Ch-12 MCL 500.1200-1247
Minnesota	Minn. Stat. 60k.49, subd. 1
Missouri	381.018
Montana	MCA 33-17-236, 33-25-202, 33-25-302
Mississippi	
Nebraska	Neb. Rev. Stat. 44-1993 and 44-19,114
Nevada	NRS 692A.110
New Hampshire	RSA 402-J, RSA 416-A
New Jersey	N.J.S.A. 17:22A-26
New Mexico	13.14.3 NMAC
New York	
North Carolina	NCGS 58-26-1 (a) & 58-26-10 & 58-27-5
North Dakota	
Ohio	Ohio Revised Code 3905.20 - Appointments
Oklahoma	36 O.S. §1435.3(A) 36 O.S. §1435.15
Oregon	ORS 744.053
Puerto Rico	Sections 9.022, 9.040 and 9.210
Rhode Island	N/A
South Dakota	SDCL Title 58
South Carolina	
Tennessee	Chapter 35 of Title 56 and TN Rule 0780-1-12
Texas	§2651
Utah	
Vermont	
Virginia	38.2-1824, 1827, 1833, 1834, 1834.1
Washington	RCW 48.17.160
West Virginia	W. Va. 33-12A-1 et seq.
Wisconsin	s. Ins 6.57, Wis. Adm. Code;s. Ins 6.61 (11), Wis. Adm. Code
Wyoming	

<b>State</b>	<b>Statutes and Regulations Regarding the Liability of Title Insurers for Defalcations of Other Title Participants</b>
Alabama	Common law and/or contract
Alaska	
Arizona	Regulated by AZ DFI - ARS § 6-841.02.
Arkansas	N/A
California	Determined by tort law and contract. There may be an obligation to reimburse the title insurer for such losses by the agent.
Colorado	Insurance Regulation 3-5-1
Connecticut	
Delaware	N/A
Dist of Columbia	
Florida - DFS	Florida Statutes §626.8473; 627.792
Florida - OIR	Section 627.792, Florida Statutes
Georgia	
Hawaii	
Idaho	Idaho Code Title 41 Chapter 27
Illinois	
Indiana	
Iowa	N/A
Kansas	N/A
Kentucky	
Louisiana	LSA-R.S. 22:511, et seq.
Maine	N/A
Maryland	Annotated Code of Maryland, Title 10, Subtitle 1, Section 10-118 Appointments. Section 22-103
Massachusetts	
Michigan	N/A
Minnesota	
Missouri	Contract or common law.
Montana	By contract or common law.
Mississippi	
Nebraska	Neb. Rev. Stat. 44-1993(8)(a)
Nevada	NRS 692A.110
New Hampshire	RSA 402-J:15
New Jersey	134NJ326(1993)
New Mexico	13.14.3.8 NMAC
New York	
North Carolina	not applicable
North Dakota	
Ohio	Ohio Revised Code 3953.32
Oklahoma	
Oregon	
Puerto Rico	Section 9.210
Rhode Island	N/A
South Dakota	SDCL Title 58
South Carolina	
Tennessee	N/A
Texas	
Utah	
Vermont	
Virginia	
Washington	RCW 48.29.155
West Virginia	N/A (not in insurance code - could be elsewhere in WV code)
Wisconsin	N/A
Wyoming	

	<b>Statutes and Regulations Regarding Title Plants</b>
<b>State</b>	
Alabama	N/A
Alaska	AS 21.66.240; AS 21.66.200; AS 21.66.210
Arizona	ARS §§ 20-1567(A) and (B).
Arkansas	N/A
California	
Colorado	N/A
Connecticut	
Delaware	N/A
Dist of Columbia	
Florida - DFS	There are no statutory references to a "title plant" in the Florida Statutes, however §627.796 does state, □ A title insurance policy may not be issued from a search performed by any person other than a title insurance agent, or an employee of a title insurer or title insurance agency, unless that person has in effect an errors and omissions policy that has minimum coverage limits of \$250,000 and a deductible that does not exceed \$10,000. If the title plant does not fit the criteria listed in this statute, then the plant must have errors and omissions coverage.
Florida - OIR	There are no Statutory references to title plants in the Florida Insurance Code
Georgia	
Hawaii	
Idaho	Idaho Code Title 41 Chapter 27
Illinois	
Indiana	
Iowa	N/A
Kansas	N/A
Kentucky	
Louisiana	LSA-R.S. 22:511, et seq.
Maine	N/A
Maryland	N/A
Massachusetts	
Michigan	N/A
Minnesota	
Missouri	381.031, 381.071, 381.068
Montana	MCA 33-25-211 (investment in title plant)
Mississippi	
Nebraska	N/A
Nevada	NRS 692A.230
New Hampshire	N/A
New Jersey	NA
New Mexico	59A-12-13 NMSA 1978; 13.14.2.8 NMAC
New York	
North Carolina	not applicable
North Dakota	
Ohio	N/A
Oklahoma	none
Oregon	ORS 731.438
Puerto Rico	Section 24.030
Rhode Island	N/A
South Dakota	SDCL Title 36-13
South Carolina	
Tennessee	Chapter 35 of Title 56 and TN Rule 0780-1-12
Texas	§2501 Texas Insurance Code
Utah	N/A
Vermont	
Virginia	
Washington	RCW 48.29.020, RCW 48.29.040, & RCW 48.29.160
West Virginia	N/A (not in insurance code - could be elsewhere in WV code)
Wisconsin	N/A
Wyoming	W.S. 33-2-101

	<b>Statutes and Regulations Regarding Closing Protection Letters</b>
<b>State</b>	
Alabama	N/A
Alaska	
Arizona	Regulated by AZ DFI.
Arkansas	Ark. Code Ann. § 23-103-405(c)
California	CIC 12340.3(e) In California, CPLs are usually provided to lenders rather than to buyers or sellers.
Colorado	Insurance Regulation 3-5-1
Connecticut	38a-404
Delaware	N/A
Dist of Columbia	
Florida - DFS	Same.
Florida - OIR	Section 627.786, Florida Statutes
Georgia	O.C.G.A. 33-3-4; title insurers are monoline
Hawaii	
Idaho	N/A
Illinois	
Indiana	
Iowa	N/A
Kansas	Department Bulletin 1996-6
Kentucky	
Louisiana	LSA-R.S. 22:511, et seq.
Maine	N/A
Maryland	N/A
Massachusetts	
Michigan	N/A
Minnesota	
Missouri	381.022.5, 381.022.6, 381.058, 20 CSR 500-7.100
Montana	
Mississippi	
Nebraska	Neb. Rev. Stat. 44-1984(2)(a)
Nevada	N/A
New Hampshire	RSA 416-A
New Jersey	134NJ326(1993)
New Mexico	13.14.3.8(D) NMAC
New York	
North Carolina	not applicable
North Dakota	
Ohio	Ohio Revised Code 3953.32
Oklahoma	none
Oregon	
Puerto Rico	
Rhode Island	N/A
South Dakota	SDCL Title 58
South Carolina	
Tennessee	N/A
Texas	§2702
Utah	
Vermont	
Virginia	
Washington	N/A
West Virginia	N/A (not in insurance code - could be elsewhere in WV code)
Wisconsin	N/A
Wyoming	

	<b>Statutes and Regulations Regarding Title Escrow and Trust Accounts</b>
<b>State</b>	
Alabama	N/A
Alaska	21.66.280
Arizona	ARS § 20-1581(B). Regulated by AZ DFI.
Arkansas	Ark. Code Ann. § 23-103-411
California	CIC 12413.5 requires deposit of escrow funds to be made in separate accounts for each individual escrow. CFC 17000-17010 addresses Escrow Law.
Colorado	§10-2-704, CRS, Insurance Regulation 1-2-1 and Regulation 3-5-1
Connecticut	
Delaware	N/A
Dist of Columbia	
Florida - DFS	Florida Statutes §626.8473; 627.792 Florida Administrative Code 69O-186.008, 69O-186.009
Florida - OIR	Section 626.8473, Florida Statutes
Georgia	
Hawaii	
Idaho	Idaho Code Title 41 Chapter 41
Illinois	215 ILCS 155/16(e); 155/17(e)
Indiana	
Iowa	N/A
Kansas	K.S.A. 40-1137
Kentucky	
Louisiana	LSA-R.S. 22:511, et seq.
Maine	N/A
Maryland	Annotated Code of Maryland, Title 10, Subtitle 1, Section 10-121(a)
Massachusetts	
Michigan	500.7304, Ch-12 as to Fiduciary Responsibility and by Bulletin 2002-03-INS.
Minnesota	Minn. Stat. 82.50
Missouri	381.022, 381.023, 381.403, 381.410
Montana	MCA 33-25-201; ARM 6.6.2202
Mississippi	
Nebraska	Neb. Rev. Stat. 44-1994 and 44-19,116
Nevada	NRS 692A.250; NRS 683A.400
New Hampshire	Ins 4300
New Jersey	N.J.S.A. 17:46B-10.1 N.J.A.C. 11:17C-2.2
New Mexico	13.14.4 NMAC
New York	
North Carolina	not applicable
North Dakota	
Ohio	Ohio Revised Code 3953.23, 3953.231, 3953.33
Oklahoma	none
Oregon	ORS 744.083, ORS 744.086, ORS 746.160(3), ORS 746.240, OAR 836-080-0305
Puerto Rico	
Rhode Island	N/A
South Dakota	N/A
South Carolina	
Tennessee	N/A
Texas	§2552
Utah	31A-23a-406
Vermont	
Virginia	38.2-1813, 6.1-2.23
Washington	N/A
West Virginia	N/A (not in insurance code - could be elsewhere in WV code)
Wisconsin	N/A
Wyoming	26-23-314

<b>State</b>	<b>Statutes and Regulations Regarding the Use of Surety Bonds or Fidelity Insurance in Title or Real Estate Closing Processes</b>
Alabama	N/A
Alaska	
Arizona	None
Arkansas	N/A
California	
Colorado	N/A
Connecticut	
Delaware	N/A
Dist of Columbia	
Florida - DFS	Florida Statutes §624.411; 626.8418(2); 626.8419(1)(a) Florida Administrative Code 690-186.015
Florida - OIR	Sections 626.8418(2), 626.8419 and 624.411, Florida Statutes
Georgia	
Hawaii	
Idaho	Idaho Code Title 41 Chapter 27
Illinois	
Indiana	N/A
Iowa	N/A
Kansas	K.S.A. 40-1139
Kentucky	
Louisiana	LSA-R.S. 22:511, et seq.
Maine	N/A
Maryland	Annotated Code of Maryland, Title 10, Subtitle 1, Section 10-121(d)
Massachusetts	
Michigan	N/A
Minnesota	
Missouri	
Montana	
Mississippi	
Nebraska	Neb. Rev. Stat. 44-19,109(3)
Nevada	NRS 692A.1041 - NRS 692A.1044
New Hampshire	N/A
New Jersey	NA
New Mexico	N/A
New York	
North Carolina	not applicable
North Dakota	
Ohio	Ohio Revised Code 3953.23; Ohio Administrative Code 3901-7-02
Oklahoma	none
Oregon	
Puerto Rico	
Rhode Island	§27-2.4-23. E&O required for all resident producers.
South Dakota	SDCL Title 36-13
South Carolina	
Tennessee	N/A
Texas	§2651
Utah	31A-23a-103
Vermont	
Virginia	6.1-2.21
Washington	RCW 48.29.190
West Virginia	N/A (not in insurance code - could be elsewhere in WV code)
Wisconsin	N/A
Wyoming	

	<b>Miscellaneous Comments</b>
<b>State</b>	
Alabama	
Alaska	
Arizona	
Arkansas	
California	
Colorado	
Connecticut	
Delaware	
Dist of Columbia	
Florida - DFS	DFS is working towards developing a title insurance agent data collection system along with an annual schedule for reporting the information to us, which will be available to be shared with the Office of Insurance Regulation. The only requirement regarding the pricing of escrow and closing services is that the fees charged must be at least the actual amount it costs to provide these services. We have no statute or rule that allows DFS to set the price to be charged or to regulate the prices in any other manner.
Florida - OIR	
Georgia	
Hawaii	
Idaho	
Illinois	
Indiana	Indiana Department of Insurance does not have authority over abstractors.
Iowa	
Kansas	Escrow and closing is regulated to a limited extent in Kansas when performed by licensed title agents. We require their escrow, settlement or closing accounts to be bonded and audited.
Kentucky	
Louisiana	
Maine	
Maryland	
Massachusetts	
Michigan	Michigan statutes allow insurers (and their agents) to engage in title insurance practices, including escrow, but do not address the clearing of title defects or preclude their clearance.
Minnesota	
Missouri	
Montana	Title premiums are deposited in a trust account, but one trust account can be used for all funds under MCA 33-25-201.
Mississippi	
Nebraska	
Nevada	
New Hampshire	
New Jersey	
New Mexico	
New York	
North Carolina	
North Dakota	
Ohio	Data related to annual escrow account reviews is confidential. Data related to affiliated business arrangements, errors and omissions insurance, and surety bond coverage is public. Title insurers are liable for losses resulting from defalcations by title agents if closing protection coverage was purchased by the person or entity claiming the loss. The offering of closing protection coverage is mandatory; however, the purchase of closing protection coverage is voluntary. It is usually used by lenders, but rarely by purchasers or sellers. Closing protection letters are paid for by a separate charge to the buyer, seller and/or lender, depending on who has purchased the coverage. Surety bond coverage is required only for agents who handle escrow transactions unrelated to the issuance of title insurance.
Oklahoma	
Oregon	
Puerto Rico	
Rhode Island	
South Dakota	
South Carolina	
Tennessee	
Texas	
Utah	
Vermont	
Virginia	
Washington	
West Virginia	
Wisconsin	A title search is not statutorily required before a title policy is issued unless the filed rate includes search and examination charges.
Wyoming	