

**304.49-130 Prohibition of contributions made and benefits received --
Exceptions.**

- (1) No captive insurer, including a captive insurer organized as a reciprocal insurer under KRS 304.49-010 to 304.49-230, shall be permitted to join or contribute financially to any plan, pool, association, or guaranty or insolvency fund in Kentucky, nor shall any such captive insurer, or its insured, or its parent or any affiliated company, or any member organization of its consortium, or in the case of a captive insurer organized as a reciprocal insurer, any subscriber thereof, receive any benefit from any such plan, pool, association, or guaranty or insolvency fund for claims arising out of the operations of such captive insurer.
- (2) Subsection (1) of this section shall not prohibit captive insurers from entering into reinsurance or pooling transactions in the normal course of business, in accordance with KRS 304.49-110.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 91, sec. 8, effective July 15, 2010. -- Created 2000 Ky. Acts ch. 434, sec. 13, effective July 14, 2000.

Legislative Research Commission Note (7/15/2010). A reference to "Section 8 of this Act" in 2010 Ky. Acts ch. 91, sec. 8, subsec. 2, which became subsection (2) of this statute, has been codified as "KRS 304.49-110" (Section 7 of that Act) to correct a manifest oversight during the amendment process. House Floor Amendment 1 to House Bill 241, which became 2010 Ky. Acts ch. 91, deleted Section 2 in its entirety and renumbered the subsequent sections, but did not make the conforming change to the reference in subsection (2). This manifest clerical or typographical error has been corrected by the Reviser of Statutes under the authority of KRS 7.136(1).