

**NOTICE OF PROPOSED RULEMAKING**

**The OSI eDocket Number for this rulemaking is: 2026-0025**

**NOTICE IS HEREBY GIVEN** that the Office of Superintendent of Insurance (OSI or Superintendent) will hold a public hearing in person, via video conference, and via telephone conference regarding a repeal and replace of 13.19.2 NMAC, Writing Surplus Line Business. **The hearing in this rulemaking will commence on Tuesday, March 17, 2026, at 10:00 a.m., MDT.**

**PURPOSE OF THE PROPOSED RULE:** The purpose of this rulemaking is to: **1)** update the issuing agency; **2)** update the text of the rule to reflect statutory amendments that transferred the payment of surplus line broker premium taxes to the New Mexico Taxation and Revenue Department; and **3)** amend and update the process for submittal of applications for surplus line insurers.

**STATUTORY AUTHORITY:** Sections 14-4-1 *et seq.*, NMSA 1978, State Rules Act, and Section 59A-2-9 NMSA 1978, Subsection F of Section 59A-14-4 NMSA 1978, and Subsection I of Section 59A-6-1 NMSA 1978.

**TO ATTEND THE HEARING IN PERSON:** Office of Superintendent of Insurance - 1120 Paseo de Peralta, (PERA Building), 4<sup>th</sup> Floor Hearing Room, Santa Fe, NM 87501

**PLEASE NOTE:** The entrance to the PERA Building is on the ground floor. All guests must sign in with the ground floor receptionist, then each guest will be escorted to the 4<sup>th</sup> Floor Hearing Room. Please give yourself extra time to check in before 10:00 a.m.

**TO ATTEND THE HEARING BY ELECTRONIC VIDEO CONFERENCE VIA MS TEAMS MEETING:**

Meeting ID: 265 041 791 318 76 - Passcode: 2PH6Ai6X

**Please copy and paste the link below into your browser to get to the video conference meeting:**

**<https://teams.microsoft.com/meet/26504179131876?p=W0LWmSsKp7iGhctVLR>**

**TO ATTEND THE HEARING DIAL BY PHONE:**

+1 505-312-4308,,801748356# - Phone Conference ID: 801 748 356#

**PUBLIC COMMENT AND HEARING:** The Superintendent designates Victoria Baca, as the hearing officer for this hearing. Oral comments will be accepted at the public hearing from members of the public and other interested parties in-person or via electronic video conference. Copies of the Notice of Proposed Rulemaking and proposed rule are available by electronic download from the OSI eDocket: <https://edocket.osi.state.nm.us/home>, you must login or register to get access if you are not already registered. You may also request copies of the Notice of Proposed Rulemaking and proposed rule by emailing Vanessa DeJesus at: [vanessa.dejesus@osi.nm.gov](mailto:vanessa.dejesus@osi.nm.gov) or by phone at: 855-427-5674, email communication is preferred. To view all filings in OSI's rulemaking information, please visit the **OSI website** at: <https://www.osi.state.nm.us/en/legal-information/rulemaking/>, the OSI rulemaking record is filed on the eDocket (**please follow the instructions on the web page for using the eDocket, there is no charge for using the eDocket, to find this rulemaking use the following eDocket Number: 2026-0025**), or on the Sunshine Portal at: [https://statenm.my.salesforce-sites.com/public/SSP\\_RuleHearingSearchPublic](https://statenm.my.salesforce-sites.com/public/SSP_RuleHearingSearchPublic) (from the "Agency" drop down menu, select "Office of Superintendent of Insurance")

**DEADLINE TO SUBMIT WRITTEN COMMENTS:** Written comments will be accepted through 4:00 p.m. on Thursday, March 12, 2026. Responses to written comments or to oral comments delivered at the hearing will be accepted through 4:00 p.m. on Wednesday, March 18, 2026. All written comments shall be filed electronically through the OSI eDocket.

**FILING WRITTEN COMMENTS:** To file written comments on the OSI eDocket please send written comments to the following email address: [osi-docketfiling@state.nm.us](mailto:osi-docketfiling@state.nm.us)  
Please send written comments by at least 3:30p.m. to ensure that written comments will be filed by the 4:00p.m. deadline.

To access filings on the OSI eDocket, please copy the following link into your browser to get to the eDocket: <https://edocket.osi.state.nm.us/home>, you must login or register to get access. **To find this rulemaking use the following Docket Number: 2026-0025.**

Written comments may be sent via U. S. mail to:

**OSI Records and Docketing  
NM Office of Superintendent of Insurance  
P.O. Box 1689, Santa Fe, NM 87504-1689**

Written comments must be received by OSI and stamped as accepted between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday except on state holidays. The Superintendent will consider all oral comments submitted during the hearing and will review and consider all timely submitted written comments and written responses. For help submitting a filing, please send an email to: [osi-docketfiling@state.nm.us](mailto:osi-docketfiling@state.nm.us).

**The docket number and title below must be indicated on all written comments submitted to the OSI:**

**Docket Number: 2026-0025  
IN THE MATTER OF REPEAL AND REPLACE OF 13.19.2 NMAC, WRITING SURPLUS LINE  
BUSINESS**

**SPECIAL NEEDS:** Any person with a disability requiring special assistance to participate in the hearing should contact Andrea Padilla, at 505-531-7171 no later than ten (10) business days prior to the hearing.