**Section 2801.70 Declinations of Artificial Coverage not Acceptable**

a) Declinations by authorized insurers for the following reasons do not qualify insurance to be placed under the surplus line law:

1) Artificial division of one coverage into two or more proposed contracts;

2) Differential in premium or rate quoted between an authorized insurer and an unauthorized insurer.

b) Declinations by authorized insurers for the following reasons do qualify insurance to be placed under the surplus line law:

1) Underwriting reason pertaining to the risk or the class;

2) Size of the risk;

3) Coverage is not available except in combination with other coverage not required by the insured;

4) Required coverage is not acceptable in part to the authorized insurer although part of the coverage is acceptable, and the unauthorized insurer will accept only the entire risk and not solely the rejected portion; and

5) Authorized insurers will accept less than the amount of coverage required and the entire amount and not just part of that amount will be accepted by unauthorized insurers.

(Source: Amended at 40 Ill. Reg. 216, effective December 21, 2015)