
DEPARTMENT OF INSURANCE

Joint venture title insurance companies

- Requires, for a title company that is a joint venture, the company's annual review to assess whether or not all members of the joint venture received revenue from the title company commensurate to their ownership interest in the title company.
- Requires, for title companies that are joint ventures, all members of the joint venture to be allowed or invited to join any successor joint ventures formed upon dissolution or termination of the original joint venture.

Long-term care insurance tax credit study

- Requires the Departments of Insurance and Medicaid to complete a joint study by July 1, 2022, analyzing whether offering tax credits for the purchase of long-term care insurance would increase the number of Ohioans with such insurance.

Joint venture title insurance companies

(R.C. 3953.331 and 3953.36)

Under existing law, unchanged by the bill, every title insurance agent or agency that handles escrow, settlement, closing, or security deposit accounts must have an independent review made of its escrow, settlement, closing, and security deposit accounts.⁶⁷ The bill specifies that for a title insurance company that is a joint venture,⁶⁸ the required annual review must assess whether or not all members of the joint venture received revenue during the year in question from the title company commensurate to their ownership interest in the company. In addition, the title insurance companies that are joint ventures must maintain sufficient records of their affairs, including their escrow operations, escrow trust accounts, and operating accounts so that the Superintendent of Insurance can adequately ensure that the title insurance company that is a joint venture and all members of the joint venture are in compliance with the requirements set forth in the bill. The records must be kept for at least ten years following the transactions to which the records relate. The bill requires the Superintendent to adopt rules setting forth the standards of the review required and the form in which this information is to be provided. The Superintendent may also prescribe by rule the specific records and documents to be kept.

⁶⁷ R.C. 3953.33, not in the bill.

⁶⁸ A joint venture is a legal organization that takes the form of a short-term partnership in which the persons jointly undertake a transaction for mutual profit. Cornell Law School, Legal Information Institute, *Joint venture*, https://www.law.cornell.edu/wex/joint_venture.

For a title company that is a joint venture that is set to dissolve or terminate on a specified date, the bill requires that all members of that joint venture must be allowed or invited to join any successor joint ventures formed upon dissolution or termination of the original joint venture.

Long-term care insurance tax credit study

(Section 757.30)

The bill requires the Departments of Insurance and Medicaid to complete a joint study by July 1, 2022, analyzing whether offering tax credits for the purchase of long-term care insurance would increase the number of Ohioans with such insurance.

In addition to recommending a range of tax credit amounts, if any, that would encourage the purchase of long-term care insurance, the study must also analyze whether employers or other group plan providers should be able to purchase long-term care insurance policies for their employees or members and whether hybrid life insurance policies should be included in the Departments' long-term care partnership program. (That program allows individuals to purchase long-term care insurance policies while keeping assets that would otherwise disqualify the individuals from Medicaid.⁶⁹)

⁶⁹ R.C. 3923.41, not in the bill.