

**304.33-070 Cooperation of officers and employees.**

- (1) Duty to cooperate. Any officer, manager, trustee, or agent of any insurer, and any other person with executive authority over or in charge of any segment of the insurer's affairs or in possession of property to which the commissioner has a claim shall cooperate with the commissioner, or anyone acting on behalf of the commissioner, in any delinquency proceeding. "To cooperate" includes but is not limited to the following:
  - (a) To reply promptly in writing to any inquiry from the commissioner requesting such a reply; and
  - (b) To make available and deliver to the commissioner any books, accounts, documents, or other records, or information or property of or pertaining to the insurer and in his or her possession, custody, or control.
- (2) Duty not to obstruct. No person shall obstruct or interfere with the commissioner in the conduct of any delinquency proceeding.
- (3) Any person who fails to cooperate with or obstructs the efforts of the commissioner in the conduct of any delinquency proceeding shall have denied any claims the person has filed pursuant to KRS 304.33-360 and shall also be subject to such other sanctions as the court may impose.
- (4) Right to defend. This section shall not render it illegal to resist by legal proceedings the petition for liquidation or other delinquency proceedings, or other orders.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 1431, effective July 15, 2010. -- Amended 1990 Ky. Acts ch. 422, sec. 7, effective July 13, 1990. -- Created 1970 Ky. Acts ch. 301, subtit. 33, sec. 7, effective June 18, 1970.