



**A RESOLUTION OF THE TRIBAL COUNCIL
OF THE DELAWARE TRIBE OF INDIANS TO
AMEND TITLE 27 OF THE LAWS OF THE
DELAWARE TRIBE OF INDIANS, KNOWN AS
THE INSURANCE COMPANY ACT**

RESOLUTION 2025-79

Sponsored by Lindsey Harris

WHEREAS, the Delaware Tribal Council is authorized by Article V of the Constitution and Bylaws of the Delaware Tribe of Indians to represent and act in all matters that concern the general welfare of the Tribe; and,

WHEREAS, pursuant to the Constitution and By-Laws of the Delaware Tribe of Indians, the Tribe's governing body is the Delaware Tribal Council; and

WHEREAS, on February 27, 2021, the Delaware Tribal Council adopted Resolution No. 2021-03, and on June 15, 2019, Resolution No. 2019-27, and on November 5, 2013, Resolution No. 2013-56 amending the Delaware Tribe of Indians Insurance Company Act; and

WHEREAS, the Delaware Tribal Council has determined it is in the best interest of the Delaware Tribe to Amend the Delaware Tribe of Indians Insurance Company Act; and

WHEREAS, the council found it necessary to amend the definition of "Allied Business Entity" and "Allied Reinsurance Company" to clarify Allied Business Entities, and add the definition and powers of "Specialized Reinsurance Company" as a new type of reinsurance company; and

WHEREAS, in accordance with these findings, the Delaware Tribal Council approves and amends Title 27 of the Insurance Company Act Part 1. Section 105. Definitions as follows and to adjust the numeration accordingly:

1. "Allied Business Entity":
 - a. Means
 - i. two business entities are allied if both businesses are owned, controlled, or held by any of the following parties or by a successor or assign to any of the following parties:
 - (a) owner(s), or
 - (b) immediate family member of an owner, or
 - (c) an individual having a contractual or employment relationship with one of the business entities.
 - ii. two business entities are allied if one business entity is owned, controlled, or held by a parent corporation or have a substantial interrelationship that, in the judgment of the Commissioner, justifies them being deemed "allied" for the purposes of this Act.
 - ~~b. May be interpreted broadly by the Commissioner.~~
2. "ARC" or "Allied Reinsurance Company" means a reinsurer that:
 - a. is incorporated or domesticated pursuant to the Business Corporation Act, and

- b. holds a valid certificate of authority from the Commissioner to transact the business of reinsurance of Authorized Risks produced by Allied Business Entities from the Tribal jurisdiction with a FIC or any insurer or reinsurer authorized under this Act.
- 5. "SRC" or "Specialized Reinsurance Company" means a reinsurer that:
 - a. is incorporated or domesticated pursuant to the Business Corporation Act, and
 - b. holds a valid certificate of authority from the Commissioner to transact the business of reinsurance of Authorized Risks from the Tribal jurisdiction with a FIC or any insurer or reinsurer authorized under this Act.

WHEREAS, in accordance with these findings, the Delaware Tribal Council approves and amends Title 27 of the Insurance Company Act Part 1. Section 110. Powers of Insurers and Reinsurers Formed in the Tribal Jurisdiction In Addition to the Powers Granted by the Business Corporation Act as follows and adjust the numeration accordingly:

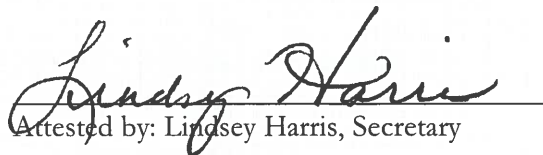
- 3. An SRC has the power to
 - a. assume reinsurance of Authorized Risks located outside the Tribal Lands, and
 - b. assume reinsurance of Authorized Risks entities from a FIC or any insurer or reinsurer that holds a certificate of authority in the Tribal jurisdiction, and
 - c. cede reinsurance of Authorized Risks to a FIC or any insurer or reinsurer that holds a certificate of authority in the Tribal jurisdiction, and
 - d. such other powers as the Commissioner may determine to be appropriate.

NOW, THEREFORE, BE IT RESOLVED, The Delaware Tribal Council of the Delaware Tribe of Indians declares, that the Delaware Tribe of Indians Insurance Company Act is amended as attached hereto.

CERTIFICATION

I hereby certify that the foregoing was considered by the Delaware Tribal Council of the Delaware Tribe of Indians and adopted this 27 day of AUGUST 2025 with a vote of 5 yes, 0 no, and 0 abstaining.


Brad KillsCrow, Chief


Attested by: Lindsey Harris, Secretary

