



STATE OF ISSUE AND CONTRACT DELIVERY RULES FOR INDIVIDUAL CONTRACTS

- ING USA Annuity and Life Insurance Company
 ReliaStar Life Insurance Company
 ING Life Insurance and Annuity Company

ING USA Annuity and Life Insurance Company
 Overnight Address: 909 Locust Street, Des Moines, IA 50309-2899

1 RULES FOR STATE OF ISSUE AND CONTRACT DELIVERY

The producer must be licensed, appointed, and registered (if necessary) in both the state where the solicitation occurs and the state where the application is taken. The state where the application is taken will be the state where the contract is issued and delivered. Please refer to Licensing and Appointment Guidelines for complete state licensing and appointment rules.

ILLUSTRATION A: The contract owner works in California but resides in Nevada. The solicitation and completion of the application took place in California, so a California contract will be delivered in that state. The producer must be licensed and appointed in both California and Nevada. Nevada requires that an individual must be licensed if the agent acts as (or holds themselves out to be) a producer towards Nevada residents, regardless of the location of the transaction (inside or outside of the state).

ILLUSTRATION B: A producer is licensed in Connecticut, where the owner previously lived. The owner moved to Florida and contacts the Connecticut producer to ask for advice about purchasing another contract. To provide the requested advice, the producer must be licensed and appointed in Florida.

ILLUSTRATION C: A New York resident who works in Connecticut (or has another home in that state) contacts a Connecticut producer regarding the purchase of an annuity contract. The producer is licensed in Connecticut and New York. All solicitation, sales and delivery of a Connecticut contract to the New York resident may take place in Connecticut because the New York resident has a legitimate connection to the state of Connecticut. Regulation 60 procedures would not be required in this case for any 1035 or Transfer business as long as there is a legitimate connection and the Nexus form is submitted.

The customer must have a legitimate connection (**Nexus**) to the state of issue and delivery. A Nexus is defined as a residence (primary or secondary) or place of employment/business. The contract owner must live or work in the state in which the solicitation is made, the application is taken, and the contract is issued and delivered. **The contract must be approved in the state of solicitation and delivery.**

2 STATE OF DELIVERY - EXCEPTIONS TO THE LIVE AND WORK REQUIREMENT

Despite the fact that modern conveniences have improved mobility, and people's business relationships often extend to a state other than where they work or live, the requirements for the state of issue procedures must be observed, *except as noted below*:

- Client has a resident address in the state where the product is being solicited.
- Client works or has a business address in the state where the product is being solicited.
- Client is an existing client or has an existing relationship with the broker in the state where the product is being solicited.
- Client is a relative of the broker licensed in the state where the product is being solicited.
- Client is not the annuitant and the application was signed in the annuitant's state of residence.
- Client is a New York resident and complies with New York law of issuing contracts in the non-resident state of issue.

The following reasons are not valid and will not be approved:

- Client is a referral.
- Client was shopping in that state.
- Client was visiting a relative/friend who is not the agent.
- Client met agent for the sole purpose of writing a product that was available in that state and not their own (i.e., meals, entertainment).

Client must have a legitimate reason or connection to the state or agent, and a Nexus form must be submitted in order to issue a policy outside of their home state.

3 EXCEPTION TO THE RULES APPLIED TO THE SITUATIONS ABOVE

- The producer must be properly licensed and appointed in the state in which the solicitation and application takes place, and the contract must be delivered to the client at a valid address in that state. (Refer to the licensing and appointment rules discussed in the "Rules for State of Issue and Contract Delivery" section above.) The producer must use the sales illustrations and marketing materials approved for the state in which the sale takes place. **During solicitation, the producer must advise the customer of the differences between the product as approved in the customer's state of residence and the product as approved in the state of solicitation, issue and delivery.**

A producer must not conduct any activity related to the sale of an unapproved product in the state of solicitation and delivery. As a general rule, the producer physically delivers the contract to the contract owner in the state where the solicitation and application took place.

- It will be the producer's responsibility to communicate the applicable exception(s) as described on this document to New Business via the Nexus form (attached), and verify that all of the above guidelines have been met. This form must be submitted with the business application, and it must be clearly marked/indicated which reason applies to the solicitation for that piece of business. The application will not be in Good Order until a completed Nexus form is received by New Business.



NEXUS INFORMATION WORKSHEET

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1 APPLICANT/CONTRACT OWNER INFORMATION

Owner: _____

Owner SSN: _____

Annuitant (if different): _____

Annuitant SSN: _____

2 REASON FOR EXCEPTION TO APPLICANT/CONTRACT OWNER LIVE, WORK, OR BUSINESS PRESENCE REQUIREMENT

Please consider my attached application as a request for an exception to the state of delivery, due to the reason checked below: (Select one)

- The owner has a resident address in the state where the product is being solicited.
 The owner works or has a business address in the state where the product is being solicited.
 The owner is an existing customer or I have an existing relationship with the owner in the state where the product is being solicited.
 I am a relative of the owner, licensed in the state where the product is being solicited.
 The owner is not the annuitant and the application was signed in the annuitant's state of residence.
 This sale is to a New York resident and complies with New York law of issuing contracts in the non-resident state of issue.

3 TO BE COMPLETED BY THE AGENT (REQUIRED)

I am properly licensed and appointed in _____ (State), which is the state where the Applicant/Contract Owner has a resident address. *(Please check with your broker/dealer or state laws to see if dual registration is required).*

I am also properly licensed and appointed in _____ (State), which is where the solicitation was made, the application was taken, and where the policy/contract will be delivered.

I have advised the applicant/contract owner of the differences (if any) between the product as approved in the applicant's/contract owner's primary state of residence or place of business, and the product as approved in the state of solicitation, execution of application and policy/contract issue.

Yes No

4 AGENT SIGNATURE (REQUIRED)

I hereby represent and warrant to the Company that, after conducting a reasonable inquiry into the validity of the representations set forth herein, the representations set forth herein are true and correct to the best of my knowledge. I also understand that any intentionally false statement made to the Company on this form or any other document related to the issuance of insurance products constitutes fraud and may entitle the Company to certain legal and equitable remedies.

Agent Signature(s) _____

City & State _____ Date _____