

Opinion No. 19-3325

November 1, 1919

BY: FILO M. SEDILLO, Attorney General

TO: Mr. R. F. Apodaca, Superintendent of Insurance State Corporation Commission,
Santa Fe, New Mexico

{*121} We have your letter of October 26 inquiring whether a company licensed to transact a fidelity, surety and casualty business in this state, but not licensed to transact title guaranty business here, may issue policies outside the state covering title within this state.

License to issue title guaranty policies in this state is required by Section 71-152, 1929 Compilation, as amended by Section 7 of Chapter 138 of the Laws of 1937. No policies may be written except upon the license authorized by the above statute.

However, the New Mexico statutes have no effect outside the State of New Mexico. Whether a company licensed in Texas may sell policies in Texas to persons in Texas covering titles on New Mexico property depends upon the laws of Texas, and not upon our laws, and I am in no position to advise you with respect to those laws.

By: A. M. FERNANDEZ,

Asst. Atty. Gen.