

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 703 Session of
1993INTRODUCED BY SCANLON, MUSTO, WILLIAMS, AFFLERBACH, SCHWARTZ,
O'PAKE, REIBMAN AND DAWIDA, MARCH 23, 1993SENATOR SCANLON, BANKING AND INSURANCE, AS AMENDED,
APRIL 27, 1993

AN ACT

1 Amending the act of June 11, 1947 (P.L.551, No.247), entitled
2 "An act relating to the regulation of rates for insurance
3 which may be written by stock or mutual fire, marine or fire
4 and marine insurance companies, associations or exchanges; to
5 rating and advisory organizations; to reports by rating
6 organizations and insurers to the Pennsylvania State Police;
7 conferring on the Insurance Commissioner the power and duty
8 of supervising and regulating persons, associations,
9 companies and corporations, and of enforcing the provisions
10 of this Act; prescribing and regulating the practice and
11 procedure before the commissioner, and procedure for review
12 by the courts; giving the Court of Common Pleas of Dauphin
13 County exclusive jurisdiction over certain proceedings;
14 prescribing penalties and providing for enforcement thereof;
15 and repealing inconsistent Acts," further providing for rate
16 filings.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. Section 4(a) of the act of June 11, 1947
20 (P.L.551, No.247), known as The Fire, Marine and Inland Marine
21 Rate Regulatory Act, reenacted and amended August 23, 1961
22 (P.L.1053, No.483), is amended to read:

23 Section 4. Rate Filings.--(a) Every insurer shall file with
24 the commissioner, except as to inland marine risks which by

1 general custom of the business are not written according to
2 manual rates or rating plans, every manual, minimum, class rate,
3 rating schedule or rating plan, every other rating rule, and
4 every modification of any of the foregoing which it proposes to
5 use IN THIS COMMONWEALTH, and shall file every special rate on <—
6 other than inland marine risks as mentioned in section three
7 (a), (1) which it uses IN THIS COMMONWEALTH. The filing of the <—
8 aforementioned shall be made whether or not the coverage is
9 provided on an individual or group basis and whether or not the
10 group policy is issued in this Commonwealth or another state.
11 Every such filing shall state the proposed effective date
12 thereof and shall indicate the character and extent of the
13 coverage contemplated. When a filing is not accompanied by the
14 information upon which the insurer supports such filing, and the
15 commissioner does not have sufficient information to determine
16 whether such filing meets the requirements of the act he may
17 require such insurer to furnish the information upon which it
18 supports such filing. Any filing may be supported by (1) the
19 experience or judgment of the insurer or rating organization
20 making the filing, (2) the experience of other insurers or
21 rating organizations, or (3) any other factors which the insurer
22 or rating organization deems relevant. A filing and any
23 supporting information shall be open to public inspection after
24 the filing becomes effective. Specific inland marine rates on
25 risks specially rated, made by a rating organization, shall be
26 filed with the commissioner.

27 * * *

28 Section 2. This act shall take effect in 90 days.