

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2905 Session of
1998

INTRODUCED BY WALKO, BELFANTI, THOMAS, KENNEY, MANDERINO,
BISHOP, CASORIO, SURRA, EVANS, BOSCOLA, STABACK, LAUGHLIN,
TIGUE, RAMOS, DeLUCA, COLAFELLA, SCHRODER, MELIO, OLASZ,
DERMODY, WILT, J. TAYLOR, BELARDI, YOUNGBLOOD, C. WILLIAMS,
KIRKLAND AND HARHAI, OCTOBER 26, 1998

REFERRED TO COMMITTEE ON INSURANCE, OCTOBER 26, 1998

AN ACT

1 Amending the act of June 11, 1947 (P.L.538, No.246), entitled
2 "An act relating to the regulation of rates for insurance
3 which may be written by stock or mutual casualty insurance
4 companies, associations or exchanges, including fidelity,
5 surety and guaranty bonds and all other forms of motor
6 vehicle insurance, and title insurance; to rating and
7 advisory organizations; conferring on the Insurance
8 Commissioner the power and duty of supervising and regulating
9 persons, associations, companies and corporations, and of
10 enforcing the provisions of this act; prescribing and
11 regulating the practice and procedure before the
12 commissioner, and procedure for review by the courts; giving
13 the Court of Common Pleas of Dauphin County exclusive
14 jurisdiction over certain proceedings; prescribing penalties
15 and providing for enforcement thereof, and repealing
16 inconsistent acts," further providing for making of rates.

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

19 Section 1. Section 3(e) of the act of June 11, 1947
20 (P.L.538, No.246), known as The Casualty and Surety Rate
21 Regulatory Act, amended April 14, 1986 (P.L.80, No.27), is
22 amended to read:

23 Section 3. Making of Rates.--All rates shall be made in

1 accordance with the following provisions:

2 * * *

3 (e) This section shall not be construed to prohibit rates
4 for automobile insurance which are based, in whole or in part,
5 on factors, [including, but not limited to, sex,] if the use of
6 [such] a factor is supported by sound actuarial principles or is
7 related to actual or reasonably anticipated experience; however,
8 such factors shall not include sex, race, religion [or],
9 national origin or credit bureau rating.

10 Section 2. This act shall take effect in 60 days.