

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2290 Session of
2005

INTRODUCED BY BALDWIN, THOMAS, BELARDI, BOYD, CALTAGIRONE,
COSTA, CRAHALLA, FABRIZIO, FAIRCHILD, FREEMAN, GEIST, GEORGE,
GINGRICH, GOODMAN, GRUCELA, HASAY, HENNESSEY, HERSHEY, HESS,
JAMES, KOTIK, LEH, MAHER, MARSICO, R. MILLER, PAYNE, RAPP,
READSHAW, REICHLEY, ROEBUCK, ROHRER, SAINATO, SCHRODER,
SHANER, SIPTROTH, SOLOBAY, STABACK, SURRA, TANGRETTI,
E. Z. TAYLOR, TIGUE, WANSACZ, WILT, WOJNAROSKI AND
YOUNGBLOOD, DECEMBER 5, 2005

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, DECEMBER 5, 2005

AN ACT

1 Amending the act of July 22, 1974 (P.L.589, No.205), entitled
2 "An act relating to unfair insurance practices; prohibiting
3 unfair methods of competition and unfair or deceptive acts
4 and practices; and prescribing remedies and penalties,"
5 further defining "unfair methods of competition" and "unfair
6 or deceptive acts or practices."

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 5(a) of the act of July 22, 1974
10 (P.L.589, No.205), known as the Unfair Insurance Practices Act,
11 is amended by adding a paragraph to read:

12 Section 5. Unfair Methods of Competition and Unfair or
13 Deceptive Acts or Practices Defined.--(a) "Unfair methods of
14 competition" and "unfair or deceptive acts or practices" in the
15 business of insurance means:

16 * * *

17 (9.1) Surcharging any policy of insurance covering owner-

1 occupied private residential properties or personal property of
2 individuals that has been in force for sixty days due to an
3 unpreventable event resulting from a hurricane, tornado or
4 storm. The provisions of this paragraph shall not be construed
5 to apply to an accident which is the result of any human factor
6 or influence.

7 * * *

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