
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 886 Session of
2003

INTRODUCED BY DeWEESE, BEBKO-JONES, CAWLEY, DALEY, FABRIZIO,
GRUCELA, HERSHEY, JOSEPHS, LEVDANSKY, READSHAW, RUFFING,
SCRIMENTI, SOLOBAY, THOMAS, YOUNGBLOOD, GOODMAN, BELARDI,
COY, D. EVANS, GEORGE, HARHAI, HORSEY, KOTIK, MCGEEHAN,
ROONEY, SCAVELLO, SHANER, STABACK, WANSACZ, JAMES AND
PALLONE, MARCH 13, 2003

REFERRED TO COMMITTEE ON INSURANCE, MARCH 13, 2003

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 providing for unfair acts.

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

8 Section 1. Section 5(a) of the act of July 22, 1974
9 (P.L.589, No.205), known as the Unfair Insurance Practices Act,
10 is amended by adding a paragraph and the section is amended by
11 adding a subsection 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 (15) Refusing to issue, canceling or refusing to renew a

1 policy of casualty or property insurance because of damage
2 caused by underground mining the repair of which:

3 (i) may be required under the act of April 27, 1966 (1st
4 Sp.Sess., P.L.31, No.1), known as "The Bituminous Mine
5 Subsidence and Land Conservation Act"; and

6 (ii) is made within a reasonable time after the mining, as
7 determined by the mine operator and the landowner.

8 * * *

9 (d) If a person issues, maintains or renews an insurance
10 policy in order to avoid committing an unfair or deceptive act
11 or practice under subsection (a)(15), the person shall not be
12 liable under that policy for any claim arising out of damage
13 referred to in subsection (a)(15).

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