

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2680 Session of  
2002

INTRODUCED BY BISHOP, ROBINSON, MELIO, GRUCELA, WASHINGTON,  
WATERS, JOSEPHS, THOMAS, HORSEY, JAMES, MYERS, OLIVER,  
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LEDERER, CURRY AND STEELMAN, JUNE 5, 2002

REFERRED TO COMMITTEE ON INSURANCE, JUNE 5, 2002

AN ACT

1 Amending Title 40 (Insurance) of the Pennsylvania Consolidated  
2 Statutes, providing for reports by insurers of slavery era  
3 policies.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Title 40 of the Pennsylvania Consolidated  
7 Statutes is amended by adding an article to read:

8 ARTICLE C

9 OTHER INSURERS

10 Chapter

11 81. Slavery Era Insurers

12 CHAPTER 81

13 SLAVERY ERA INSURERS

14 Sec.

15 8101. Definitions.

16 8102. Submission of report.

17 8103. Report format.

1 8104. Establishment of Slavery Era Insurance Policy Registry.

2 8105. Department.

3 § 8101. Definitions.

4 The following words and phrases when used in this chapter  
5 shall have the meanings given to them in this section unless the  
6 context clearly indicates otherwise:

7 "Insurer." An insurer licensed and doing business in this  
8 Commonwealth on or after January 1, 2002.

9 "Predecessor corporation." A corporation in the reporting  
10 insurer's history that existed prior to the reporting  
11 corporation.

12 "Reporting insurer." An insurer that has been designated by  
13 its holding company to submit a consolidated report which is  
14 responsive to this chapter.

15 "Slave." An individual:

16 (1) wholly subject to the will of another;

17 (2) having no freedom of action;

18 (3) whose person and services were wholly under the  
19 control of another; and

20 (4) who was in a state of enforced compulsory service to  
21 another.

22 "Slaveholder." An owner of slaves; an owner of a business  
23 enterprise using slaves; an owner of a slave-carrying vessel or  
24 other means of transporting slaves; a merchant or financier  
25 dealing in the purchase, sale or financing of the business of  
26 slaves and slavery; a slave dealer; or a slave broker.

27 "Slaveholder insurance policy." A policy issued to or for  
28 the benefit of a slaveholder to insure the slaveholder against  
29 the death of, or injury to, a slave.

30 "Slavery era." Anytime prior to 1865.

1 § 8102. Submission of report.

2 (a) General rule.--Every insurer shall, within six months  
3 after the effective date of this chapter, report to the  
4 department regarding slaveholder insurance policies which it  
5 wrote either directly or through a predecessor corporation  
6 during the slavery era.

7 (b) Consolidated report.--A consolidated report may be  
8 submitted by the reporting insurer's holding company on behalf  
9 of all members of the holding company required to file a report.  
10 A consolidated report must designate one insurer as the  
11 reporting insurer for purposes of compliance with this chapter  
12 and must specify which insurers are included in the report.  
13 Insurers choosing to file a consolidated report shall comply  
14 with all other requirements of this chapter.

15 § 8103. Report format.

16 The report must be submitted on the letterhead of the  
17 reporting insurer, be dated and signed by an officer of the  
18 insurer who has the authority to bind the insurer and provide as  
19 follows:

20 (1) The name, address, telephone number, facsimile  
21 number, e-mail address, National Association of Insurance  
22 Commissioner (NAIC) number and World Wide Web site Uniform  
23 Resource Locator (URL) address for the main office of the  
24 insurer making the report.

25 (2) The name, address, telephone number, facsimile  
26 number and e-mail address for the insurer's contact person.

27 (3) A description of the methods employed by the insurer  
28 to identify and compile the information which is responsive  
29 to this chapter. This paragraph includes a description of the  
30 research which was conducted at the insurer's own facility

1 and a description of research which was conducted at other  
2 facilities known to the insurer. If the insurer has found no  
3 data responsive to this chapter, it shall so state.

4 (4) Information regarding the names of slaves  
5 alphabetically as follows: last name, first name, name of  
6 slaveholder, beneficiary and policyholder, amount of policy,  
7 county, state and any other identifying information.

8 § 8104. Establishment of Slavery Era Insurance Policy Registry.

9 The department shall establish and report to the General  
10 Assembly and make available to the public all information  
11 received from insurers under this chapter. The lists of names of  
12 slaves and names of slaveholders and other slavery era insurance  
13 policy information shall be known as the Slavery Era Insurance  
14 Policy Registry and shall be made accessible to the public by  
15 the department.

16 § 8105. Department.

17 The department is authorized to conduct its own research to  
18 verify the accuracy of the report in section 8103(3) (relating  
19 to report format).

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