

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2497 Session of 2014

INTRODUCED BY QUINN, BOBACK, V. BROWN, BROWNLEE, CALTAGIRONE, CLYMER, COHEN, DAVIS, DeLUCA, ENGLISH, HELM, LUCAS, MAHONEY, MCGEEHAN, MILNE, PARKER, PICKETT, READSHAW, SAYLOR, THOMAS, MURT AND WATSON, SEPTEMBER 22, 2014

AS REPORTED FROM COMMITTEE ON INSURANCE, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 24, 2014

AN ACT

1 Amending the act of May 17, 1921 (P.L.789, No.285), entitled, as
2 amended, "An act relating to insurance; establishing an
3 insurance department; and amending, revising, and
4 consolidating the law relating to the licensing,
5 qualification, regulation, examination, suspension, and
6 dissolution of insurance companies, Lloyds associations,
7 reciprocal and inter-insurance exchanges, and certain
8 societies and orders, the examination and regulation of fire
9 insurance rating bureaus, and the licensing and regulation of
10 insurance agents and brokers; the service of legal process
11 upon foreign insurance companies, associations or exchanges;
12 providing penalties, and repealing existing laws," providing
13 for life insurance database.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. The act of May 17, 1921 (P.L.789, No.285), known
17 as The Insurance Department Act of 1921, is amended by adding a
18 section to read:

19 Section 207A. Life Insurance Database.--(a) The Insurance
20 Department shall maintain an electronic database of contact
21 information for each life insurer that has life insurance
22 policies in force in this Commonwealth.

1 (b) Beginning on January 1, 2015, any member of the
2 ~~immediate family~~ FAMILY WHO HAS REQUESTED AND OBTAINED A COPY OF <--
3 THE DECEDENT'S DEATH CERTIFICATE, executor or administrator of a
4 decedent who is searching for life insurance policies covering
5 the decedent may file a request with the department for a search
6 pursuant to this section, provided the decedent was a resident
7 or former resident of this Commonwealth. The request shall
8 include a copy of the decedent's death certificate. The right to
9 file a request for a search pursuant to this section may not be
10 assigned.

11 (c) The department shall transmit a search request to all
12 life insurers having life insurance policies in force in this
13 Commonwealth, along with information necessary for responding
14 directly to the person filing the request. Each insurer shall
15 examine its books and records to determine whether the decedent
16 is covered by a life insurance policy, and upon a finding that
17 coverage does exist, the insurer shall directly notify the
18 person filing the request.

19 (d) Insurers of credit life insurance, as defined in section
20 2 of the act of September 2, 1961 (P.L.1232, No.540), known as
21 the "Model Act for the Regulation of Credit Life Insurance and
22 Credit Accident and Health Insurance," are exempt from the
23 provisions of this act.

24 (e) The department may charge ten dollars (\$10) for each
25 search request processed through the database. Beginning one
26 year after the effective date of this section the department
27 shall have authority to increase the fee charged. The fee
28 increase shall not:

29 (1) exceed an annual cost-of-living adjustment as calculated
30 by applying the percentage increase in the Consumer Price Index

1 for All Urban Consumers (CPI-U) for the Pennsylvania, New
2 Jersey, Delaware and Maryland area for the most recent 12-month
3 period for which figures have been officially reported by the
4 United States Department of Labor, Bureau of Labor Statistics;
5 and

6 (2) exceed twenty per centum (20%) annually.

7 (f) The department may adopt rules and regulations to
8 implement the provisions of this section.

9 ~~(g) For purposes of this section, the term "immediate~~ <--
10 ~~family" means a parent, spouse, child, brother or sister.~~

11 Section 2. This act shall take effect January 1, 2015.