

present ability to pay, of himself or any person, firm, or corporation in whom he is interested, or for whom he is acting, to procure or receive, upon the faith of such false statement, for the benefit either of himself or of any person, firm, or corporation in whom he is interested, or for whom he is acting, any property, the payment of cash, the making of a loan or credit, the extension of credit, the discount or sale of an account receivable, *the making or execution of any contract of surety*, or the making, acceptance, discount, sale or endorsement of a bill of exchange, promissory note, or of any negotiable instrument.

Section 3 amended.

Section 3. That section three of said act is hereby amended to read as follows:

False representation.

Section 3. It shall be unlawful for any person, who, knowing that a statement in writing has been made respecting the financial condition or means, or present ability to pay, of himself or of any person, firm, or corporation in whom he is interested, or for whom he is acting, to represent subsequently, in writing, that such statement, theretofore made, if again made would still be true, when, in fact, such statement if then made would be false, and to procure upon the strength thereof, for the benefit of himself or of any person, firm, or corporation in whom he is interested, or for whom he is acting, any property, the payment of cash, the making of a loan or credit, the extension of credit, the discount or sale of an account receivable, *the making or execution of any contract of surety*, or the making, acceptance, discount, sale or endorsement of a bill of exchange, promissory note, or of any negotiable instrument.

APPROVED—The 22nd day of June, A. D. 1931.

GIFFORD PINCHOT

No. 211

AN ACT

To prevent fraudulent procedure in obtaining licenses or certificates from the Insurance Department, or altering licenses or certificates issued by the Insurance Department; and providing penalties.

Insurance.
Crimes.
Frauds in obtaining licenses or certificates.

Section 1. Be it enacted, &c., That any person, co-partnership, or corporation, (a) misrepresenting his, their, or its qualifications to the Insurance Department, or making false statements in applications for any license or certificate; or (b) any person impersonating or attempting or offering to impersonate another person in taking or attempting or offering to take any ex-

amination held in accordance with the rules and regulations of the Insurance Department; or (c) taking or attempting or offering to take such examination in the name of any other person; or (d) procuring any other person falsely to take or attempt or offer to take any such examination for an applicant; or (e) having in his possession examination papers to be used in any such examination when not contained in their sealed wrappers, or copies of such papers at any time prior to the dates set for such examination unless duly authorized by the Insurance Department, or agents thereof; or (f) selling or offering to sell, prior to the examination, examination papers or any question prepared for use in any examination held in accordance with the rules of the Insurance Department; or (g) using in any such examination any question papers or questions, or securing or preparing the answers to such questions prior to the time set for the examination; or (h) transmitting to the Insurance Department answers to questions used in any such examination which are prepared or written outside of the period of examination, or altering any such answer after such period is closed; or (i) securing or attempting to secure fraudulently any credential regularly issued by the Insurance Department which is based upon such examinations; or (j) altering licenses or certificates in such manner as to misrepresent the authority granted under the license or certificate,— shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or undergo imprisonment for a period of not less than thirty (30) days nor more than six (6) months, or both, at the discretion of the court. Upon satisfactory evidence of the violation of this act by any person, co-partnership, or corporation licensed as an insurance agent or broker, the Insurance Commissioner may, in his discretion, pursue any one or more of the following courses: (1) Suspend or revoke the license of such offending person, co-partnership, or corporation; (2) refuse, for a period of not to exceed one year thereafter, to issue a new license to such person, co-partnership, or corporation; (3) impose a fine of not more than one thousand dollars (\$1,000.00) for each act of violation of this act.

Before the Insurance Commissioner shall take any action as above set forth, he shall give written notice to the person, company, association, or exchange accused of violating the law, stating specifically the nature of such alleged violation, and fixing a time and place, at least ten (10) days thereafter, when a hearing of the matter shall be held. After such hearing or upon failure of the accused to appear at such hearing, the In-

Alteration of licenses or certificates.

Misdemeanor.

Penalty.

Powers of commissioner in case of violation of act.

Notice.

Hearing.

Appeal.

Insurance Commissioner shall impose such of the above penalties as he deems advisable. -When the Insurance Commissioner shall take action in any of the ways above recited, the person, co-partnership, or corporation aggrieved may appeal therefrom to the court of common pleas of Dauphin County.

APPROVED—The 22nd day of June, A. D. 1931.

GIFFORD PINCHOT

No. 212

AN ACT

To amend section four of the act, approved the twenty-sixth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, eight hundred five), entitled "An act authorizing the payment of benefits by certain beneficial societies in the event of sickness, accident, disability, or death, or in the event of any or all such contingencies, and limiting the amount of such benefits; providing for reserves of such societies; providing penalties; and repealing existing laws," by providing for the imposition of penalties following hearing by the Insurance Commissioner for violations of the act.

Insurance.
Beneficial societies.
Section 4, act
of April 26, 1929
(P. L. 805),
amended.

Section 1. Be it enacted, &c., That section four of the act, approved the twenty-sixth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, eight hundred five), entitled "An act authorizing the payment of benefits by certain beneficial societies in the event of sickness, accident, disability, or death, or in the event of any or all such contingencies, and limiting the amount of such benefits; providing for reserves of such societies; providing penalties; and repealing existing laws," be, and it is hereby, amended to read as follows:

Violations of act.

Section 4. Any corporation paying or entering into contracts to pay money or benefits in excess of the limitations prescribed by the provisions of this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars for each payment or contract so made or entered into; *or, upon satisfactory evidence of the violation of this section by any such corporation, the Insurance Commissioner may, in his discretion, pursue any one or more of the following courses of action: (1) Suspend or revoke the license of such offending corporation; (2) refuse, for a period of not to exceed one year thereafter, to issue a new license to such corporation; (3) impose a penalty of not more than one thousand dollars for each and every act in violation of this act. Before*

Misdemeanor.

Penalty.

Courses commissioner may pursue.