

Superintendent of Public Instruction, upon receipt of the facts disclosed by said census, may issue his proclamation declaring such district to be of the class to which it properly belongs, as disclosed by the census of the school board.

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Act effective  
immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 3rd day of July, A. D. 1957.

GEORGE M. LEADER

No. 254

AN ACT

Amending the act of May 17, 1921 (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," requiring and providing for certification by the Insurance Commissioner before issuance of nonassessable policies, and providing penalties for false certifications.

The Insurance  
Company Law  
of 1921.

Article VIII.,  
act of May 17,  
1921, P. L. 682,  
amended by  
adding sections  
806.1 and 806.2.

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

Section 1. Article VIII., act of May 17, 1921 (P. L. 682), known as "The Insurance Company Law of 1921," is amended by adding, after section 806, two new sections to read:

*Section 806.1. Certificate of Authority for the Issuance of Nonassessable Policies.—On and after April 1, 1958, before a mutual insurance company other than a mutual life insurance company may issue a nonassessable policy, the president and secretary shall furnish the Insurance Commissioner a certified copy of the resolution of the Board of Directors providing for the issuance of a nonassessable policy, and shall certify that the company possesses surplus as required in section 806 and that the company is otherwise qualified under its charter and by-laws. When the Insurance Commissioner is satisfied that the company has the above surplus and other qualifications, he shall issue to such company a certificate of authority for the issuance of nonassessable policies. Any nonassessable policy issued, while said certificate is in force, shall be and remain nonassessable under all conditions including any surplus deficiency*

and including liquidation of the company. This certificate shall continue in effect until revoked as provided in this section. The president and secretary of the company shall file annually, on or before April 1, with the Insurance Commissioner, a certification that the resolution of the board of directors providing for the issuance of \*nonassessable policies has not been modified or revoked and that the company has the surplus requirements as provided in section 806. The Insurance Commissioner may, after hearing, revoke the certificate of authority to issue a nonassessable policy if he finds that the company does not have the surplus as provided in section 806, and shall revoke said certificate upon receipt of certification by the president and secretary that the company no longer qualifies to issue nonassessable policies.

*Section 806.2. Violations and Penalties.*—Any officer or director who is guilty of wilfully making a false certification that the company possesses the surplus as required in section 806 shall, upon conviction thereof, be punished by a fine of not less than one thousand dollars (\$1000) nor more than five thousand dollars (\$5000) or imprisonment for not more than one year, or both.

APPROVED—The 3rd day of July, A. D. 1957.

GEORGE M. LEADER

No. 255

AN ACT

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," authorizing the courts to determine and make orders with respect to visitation rights of parents.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: The Penal Code.

Section 1. Section 733, act of June 24, 1939 (P. L. 872), known as "The Penal Code," amended September 26, 1951 (P. L. 1494), is amended to read :

Section 733, act of June 24, 1939, P. L. 872, amended September 26, 1951, P. L. 1494, further amended.

Section 733. Desertion and Nonsupport.—If any husband, or father, being within the limits of this Commonwealth, separates himself from his wife or from his children, or from wife and children, without reasonable cause, or neglects to maintain his wife or children, (1) his wife or children may file a petition, prepared by the district attorney and joined in and consented to by the husband or father, in the court of quarter sessions

\* "non-assessable" in original.