

## No. 1994-31

## AN ACT

## HB 297

Amending the act of June 11, 1947 (P.L.551, No.247), entitled "An act relating to the regulation of rates for insurance which may be written by stock or mutual fire, marine or fire and marine insurance companies, associations or exchanges; to rating and advisory organizations; to reports by rating organizations and insurers to the Pennsylvania State Police; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this Act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent Acts," further providing for rate filings.

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

Section 1. Section 4(a) of the act of June 11, 1947 (P.L.551, No.247), known as The Fire, Marine and Inland Marine Rate Regulatory Act, reenacted and amended August 23, 1961 (P.L.1053, No.483), is amended to read:

Section 4. Rate Filings.—(a) Every insurer shall file with the commissioner, except as to inland marine risks which by general custom of the business are not written according to manual rates or rating plans, every manual, minimum, class rate, rating schedule or rating plan, every other rating rule, and every modification of any of the foregoing which it proposes to use *in this Commonwealth*, and shall file every special rate on other than inland marine risks as mentioned in section three (a)[,] (1) which it uses *in this Commonwealth*. ***The filing of the aforementioned shall be made whether or not the coverage is provided on an individual or group basis and whether or not the group policy is issued in this Commonwealth or another state.*** Every such filing shall state the proposed effective date thereof and shall indicate the character and extent of the coverage contemplated. When a filing is not accompanied by the information upon which the insurer supports such filing, and the commissioner does not have sufficient information to determine whether such filing meets the requirements of the act he may require such insurer to furnish the information upon which it supports such filing. Any filing may be supported by (1) the experience or judgment of the insurer or rating organization making the filing, (2) the experience of other insurers or rating organizations, or (3) any other factors which the insurer or rating organization deems relevant. A filing and any supporting information shall be open to public inspection after the filing

becomes effective. Specific inland marine rates on risks specially rated, made by a rating organization, shall be filed with the commissioner.

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Section 2. This act shall take effect in 90 days.

APPROVED—The 27th day of May, A.D. 1994.

ROBERT P. CASEY