

SENATE BILL NO. 284

INTRODUCED BY

*Blaylock* *Smith* *Murphy* *Law* *Leibel*

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 40-3520, R.C.M. 1947; PROVIDING AUTOMOBILE INSURANCE IS AN EXCEPTION TO THE FICTITIOUS GROUP PROVISION."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 40-3520, R.C.M. 1947, is amended to read as follows:

"40-3520. Fictitious groups. (1) No insurer, whether an authorized insurer or an unauthorized insurer, shall make available through any rating plan or form, property, casualty or surety insurance to any firm, corporation, or association of individuals, any preferred rate or premium based upon any fictitious group of such firm, corporation, or association of individuals.

(2) No form or plan of insurance covering any group or combination of persons or risks shall be written or delivered within or outside this state to cover persons or risks in this state at any preferred rate or on any form other than as offered to persons not in such group or combination and to the public generally, unless such form, plan of insurance, and the rates or premiums to be charged therefor have been submitted to and approved by the

commissioner as being not unfairly discriminatory, and as not otherwise being in conflict with subsection (1) above or with any provision of chapter 36 of this title (rates and rating organizations) to the extent that such chapter 36 is, by its terms, applicable thereto.

(3) This section does not apply to automobile and casualty insurance, life insurance, disability insurance, or annuity contracts."

-End-

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