

1 H BILL NO. 468
 2 INTRODUCED BY Ellie Bergeson Curtis Hobbs
 3 Bartelme Mack Jensen Kanduck Tower
 4 Waldron
 5 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 40-3520, R.C.M. 1947, TO PROVIDE THAT WORKERS' COMPENSATION INSURERS ARE EXCEPTED FROM FICTITIOUS GROUP PROVISIONS AND NEED NOT HAVE COMMISSION APPROVAL OF GROUP RATES."
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 9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 11 Section 1. Section 40-3520, R.C.M. 1947, is amended to read as follows:

12 "40-3520. Fictitious groups. (1) No insurer, whether
 13 an authorized insurer or an unauthorized insurer, shall make
 14 available through any rating plan or form, property,
 15 casualty or surety insurance to any firm, corporation, or
 16 association of individuals, any preferred rate or premium
 17 based upon any fictitious group of such firm, corporation,
 18 or association of individuals.

19 (2) No form or plan of insurance covering any group or
 20 combination of persons or risks shall be written or
 21 delivered within or outside this state to cover persons or
 22 risks in this state at any preferred rate or on any form
 23 other than as offered to persons not in such group or
 24 combination and to the public generally, unless such form,
 25 plan of insurance, and the rates or premiums to be charged

1 therefor have been submitted to and approved by the
 2 commissioner as being not unfairly discriminatory, and as
 3 not otherwise being in conflict with subsection (1) above or
 4 with any provision of chapter 36 of this title (rates and
 5 rating organizations) to the extent that such chapter 36 is,
 6 by its terms, applicable thereto.
 7 (3) This section does not apply to life insurance,
 8 disability insurance, workers' compensation insurance, or
 9 annuity contracts."

-End-

INTRODUCED BILL

HB 468

Approved by Committee
on Labor & Employment
Relations

1 H BILL NO. 468
 2 INTRODUCED BY ~~Ellis~~ Ellis, Johnson, Curtiss, Hobie
 3 Bartelsen, Mack, Simon, Kanduck, Tower
 4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION Hand
 5 Walshon, Humans 43-3520, R.C.M. 1947, TO PROVIDE THAT WORKERS' COMPENSATION Clearly
 6 INSURERS ARE EXCEPTED FROM FICTITIOUS GROUP PROVISIONS AND Amended
 7 NEED NOT HAVE COMMISSION APPROVAL OF GROUP RATES."
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 5 rating organizations) to the extent that such chapter 36 is,
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 8 disability insurance, workers' compensation insurance, or
 9 annuity contracts."

-End-

SECOND READING

-2-

HB 468

1 H. BILL NO. 468
 2 INTRODUCED BY ~~State~~ Ellis Hanson Curtis Hobbs
 3 Burteless Meek Hanson Kanduch Tower
 4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION Hurd
 5 Walshon Murmann 40-3520, R.C.M. 1947, TO PROVIDE THAT WORKERS' COMPENSATION Carley
 6 INSURERS ARE EXCEPTED FROM FICTITIOUS GROUP PROVISIONS AND Hanson
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19 (2) No form or plan of insurance covering any group or
20 combination of persons or risks shall be written or
21 delivered within or outside this state to cover persons or
22 risks in this state at any preferred rate or on any form
23 other than as offered to persons not in such group or
24 combination and to the public generally, unless such form,
25 plan of insurance, and the rates or premiums to be charged

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

7 (3) This section does not apply to life insurance,
8 disability insurance, workers' compensation insurance, or
9 annuity contracts."

-End-

HB 468

March 18, 1977

STANDING COMMITTEE REPORT
Senate Committee on Labor & Employment Relations

That House Bill No. 468 be amended as follows:

1. Amend title, lines 6 and 7.

Following: "PROVISIONS"

Strike: "AND NEED NOT HAVE COMMISSION APPROVAL OR GROUP RATES"

2. Amend page 2, section 1, line 8.

Following: "compensation insurance"

Insert: "written for industry or business associations"

3. Amend page 2, section 2, line 9.

Following: "contracts."

Insert: "However, workers' compensation group insurance rates are subject to all applicable provisions of Title 40, chapter 56."

HOUSE BILL NO. 468

INTRODUCED BY ELLIS, AAGESON, CURTISS, STOBIE,
 BERTELSEN, MARKS, HANSEN, KANDUCH, TOWER, BRAND,
 WALDRON, DUSSAULT, HAND, EUDAILY, HURWITZ,
 SCULLY, GOULD

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
 40-3520, R.C.M. 1947, TO PROVIDE THAT WORKERS' COMPENSATION
 INSURERS ARE EXCEPTED FROM FICTITIOUS GROUP PROVISIONS AND
~~NEED NOT HAVE COMMISSION APPROVAL OF GROUP RATES."~~

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 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 life insurance,
 disability insurance, ~~workers' compensation insurance~~
~~WRITTEN FOR INDUSTRY OR BUSINESS ASSOCIATIONS,~~ or annuity
 contracts. ~~HOWEVER, WORKERS' COMPENSATION GROUP INSURANCE~~
~~RATES ARE SUBJECT TO ALL APPLICABLE PROVISIONS OF TITLE 40,~~
~~CHAPTER 56."~~

-End-