

1 *Senate* BILL NO. *280*
 2 INTRODUCED BY *R. Smith Ryan Manly Bergen*
 3 *Walt Edw. Melumlee Nealy*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 5 40-3520, R.C.M. 1947, TO PROVIDE THAT AUTOMOBILE INSURERS
 6 ARE EXCEPTED FROM FICTITIOUS GROUP PROVISIONS AND NEED NOT
 7 HAVE COMMISSION APPROVAL OF GROUP RATES."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 40-3520, R.C.M. 1947, is amended to
 11 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, automobile casualty insurance, or
 9 annuity contracts."

-End-

Business and Industry

Objection Raised to
Adverse Committee Report

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 3 BERGREN, WATT, TOME, MEHRENS, LEE, HEALY
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