

HOUSE BILL No. 4492

March 21, 1989, Introduced by Reps. Gagliardi and Power and referred to the Committee on Insurance.

A bill to amend section 2108 of Act No. 218 of the Public Acts of 1956, entitled as amended

"The insurance code of 1956,"

being section 500.2108 of the Michigan Compiled Laws; and to repeal certain parts of the act.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 2108 of Act No. 218 of the Public Acts
2 of 1956, being section 500.2108 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 2108. (1) On the effective date thereof, each insurer
5 shall file with the commissioner every manual of classification,
6 every manual of rules and rates, every rating plan, and every
7 modification of a manual of classification, manual of rules and
8 rates, or a rating plan which it proposes to use for automobile

1 insurance and home insurance. Each filing shall state the
2 character and extent of the coverage contemplated. Each insurer
3 subject to this chapter who maintains rates in any part of this
4 state shall at all times maintain rates in effect for all eligi-
5 ble persons meeting the underwriting criteria of the insurer.

6 (2) ~~AN~~ EXCEPT FOR FILINGS CONCERNING RATES, AN insurer may
7 satisfy its obligation to make filings under subsection (1) by
8 becoming a member of, or a subscriber to, a rating organization
9 licensed under chapter 24 or chapter 26 which makes those fil-
10 ings, and by filing with the commissioner a copy of its authori-
11 zation of the rating organization to make those filings on its
12 behalf. Nothing contained in this chapter shall be construed as
13 requiring any insurer to become a member of or a subscriber to
14 any rating organization. Insurers may file and use deviations
15 from filings made on their behalf, which deviations shall be
16 subject to the provisions of this chapter.

17 (3) Each filing shall be accompanied by a certification by
18 or on behalf of the insurer that, to the best of its information
19 and belief, the filing conforms to the requirements of this
20 chapter.

21 (4) Each filing shall include information that supports the
22 filing with respect to the requirements of section 2109. The
23 information may include 1 or more of the following:

24 (a) The experience or judgment of the insurer or rating
25 organization making the filing.

26 (b) The interpretation of the insurer or rating organization
27 of any statistical data it relies upon.

1 (c) The experience of other insurers or rating
2 organizations.

3 (d) Any other relevant information.

4 (5) A filing and any accompanying information shall be open
5 to public inspection upon filing.

6 (6) An insurer shall not make, issue, or renew a contract or
7 policy except in accordance with filings which are in effect for
8 the insurer pursuant to this chapter.

9 Section 2. Sections 122, 2446, and 2640 of Act No. 218 of
10 the Public Acts of 1956, being sections 500.122, 500.2446, and
11 500.2640 of the Michigan Compiled Laws, are repealed.

12 Section 3. This amendatory act shall not take effect unless
13 all of the following bills of the 85th Legislature are enacted
14 into law:

15 (a) Senate Bill No. ____ or House Bill No. 4490 (request
16 no. 02451'89 a).

17 (b) Senate Bill No. ____ or House Bill No. 4491 (request
18 no. 02470'89).

19 (c) Senate Bill No. ____ or House Bill No. 4488 (request
20 no. 02471'89).

21 (d) Senate Bill No. ____ or House Bill No. 4489 (request
22 no. 02472'89).

23 (e) Senate Bill No. ____ or House Bill No. 4493 (request
24 no. 02473'89).

25 (f) Senate Bill No. ____ or House Bill No. 4494 (request
26 no. 02474'89).

1 (g) Senate Bill No. _____ or House Bill No. 4496 (request
2 no. 02475'89).

3 (h) Senate Bill No. _____ or House Bill No. 4495 (request
4 no. 02476'89).

5 (i) Senate Bill No. _____ or House Bill No. 4487 (request
6 no. 01344'89 a*).