

Proposed

INSURANCE CODE

1985 House Bill 1962—Printer's No. 2642

Consolidating the Laws of Pennsylvania
Relating to Insurance as Title 40
of the Pennsylvania Consolidated Statutes

Comments and Cross-Reference Tables

General Assembly of the Commonwealth of Pennsylvania
Joint State Government Commission

1986

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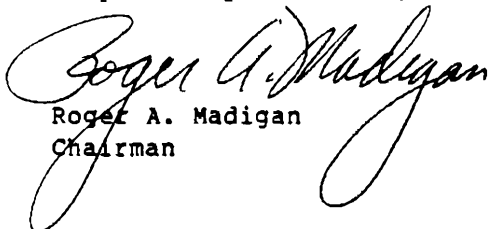
January 1986

TO THE MEMBERS OF THE GENERAL ASSEMBLY:

The Joint State Government Commission is pleased to present this report of the Task Force on Insurance Laws. The task force has directed the codification of the laws relating to the business of insurance as Title 40 of the Pennsylvania Consolidated Statutes. The proposed code has been introduced in the House of Representatives as 1985 House Bill No. 1962 by Ralph D. Pratt prior to his resignation to serve as judge of the Court of Common Pleas of Lawrence County and other members of the task force.

This report includes an introduction explaining the procedure by which the code was compiled and describing generally the types of provisions included in and excluded from the code, comments on specific provisions and appropriate cross-reference tables to facilitate comparison with existing statutes.

Respectfully submitted,


Roger A. Madigan
Chairman

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I. Introduction

METHODOLOGY

The codification of the insurance laws introduced on December 10, 1985 as House Bill 1962, Pr.'s No. 2642, was prepared by the staff of the Joint State Government Commission. 1983 House Resolution No. 160, adopted January 24, 1984, directed the Commission "to organize a task force to codify the laws relating to the business of insurance in this Commonwealth and modernize their format as part of the consolidated statutes and . . . report its findings and recommendations along with appropriate legislation to the General Assembly."

The Task Force on Insurance Laws, under the chairmanship of Representative Ralph D. Pratt, organized June 6, 1984. It was determined that the resolution called for a codification of the insurance laws, not a revision. The task force agreed that the draft should include the Motor Vehicle Financial Responsibility Law enacted in 1984 as 75 Pa.C.S. Chapter 17. The staff was directed to prepare a draft of the codification and to circulate the draft for review of its accuracy to members of the task force, individuals suggested by them and any others expressing an interest in it.

A comprehensive review of insurance laws 65 years ago led to the enactment on May 17, 1921 of the Insurance Company Law of 1921 and the Insurance Department Act of 1921. These codes incorporated or affected about 100 previous enactments. Commission staff identified over 60 separate statutes relating to insurance which have been enacted over a period of 135 years, including over 50 acts adopted since 1921. These statutes, in turn, have been affected by over 380 separate amendatory acts.

The statutes appropriate for codification were arranged in the order of appearance in Purdon's Pennsylvania Statutes Annotated, as a first approximation to the order in which the sections would appear in the codification. This initial draft was edited to clarify the language, eliminate obsolete expressions and conform the style to the Legislative Reference Bureau's "Pennsylvania Consolidated Statutes Style Manual." The draft was then re-edited to determine the precise order of the provisions, assign section numbers and supply cross references.

The staff examined a word search printout obtained from the Legislative Data Processing Center to assure the comprehensiveness of the scope of the Code. The printout was also helpful in preparing the repealer and those comments in Part II which refer to statutes not included in the Code.

The draft was continuously revised to include legislation enacted by the General Assembly during the drafting process. This included the act of June 18, 1984 (P.L.391, No.82), known as the

Continuing-Care Provider Registration and Disclosure Act and the act of December 19, 1984 (P.L.1182, No.224), known as the Insurance Premium Finance Company Act. The latest amendatory act to be included was the act of November 6, 1985 (P.L.____, No.78).

The draft of the codification and the source notes were circulated for comment as directed by the task force. The Legislative Reference Bureau prepared the bill for introduction. A supplement (1985 House Bill No. 1961, Pr.'s No. 2461) was introduced to serve as a vehicle for corrections, intervening amendments to the provisions that were codified and enactments subsequent to the introduction of the Code (e.g., the act of December 19, 1985 (P.L.____, No.97)). The "trailer bill" allows for amendments to the 1083-page Code without the expense of reprinting the latter.

A provision was added directing the Insurance Commissioner to prescribe those regulations that may be reasonably necessary for the exercise of the Commissioner's powers and duties under the Code and for the administration of the Insurance Department (See Code § 304), in lieu of numerous specific provisions in existing law. Furthermore, some revisions to the arbitration provisions of Chapter 71 derived from the Health Care Services Malpractice Act of October 15, 1975 (P.L. 390, No. 111), were made necessary because of constitutional difficulties; these revisions are further explained on pages 6 to 8 and in the comments to the affected sections. With these exceptions the Code is intended to codify the present statutory law without substantive change.

A compilation of the sources of the draft code provisions in the present law is included in this report at page 9. A disposition table showing the location of the sections of present law in the Code is presented at page 153. Comments to certain sections, which appear in Part II, explain language omitted, clarified or modified to reflect subsequent legislative action and court decisions, including invalidations on Constitutional grounds, and reference relevant statutory provisions not included in the Code.

SUBJECT MATTER OF THE CODIFICATION

The Code is intended to include the general and permanent law relating to the organization and regulation of the business of insurance. In general the staff used Title 40 of the Purdon's Pennsylvania Statutes Annotated (including the present 40 Pa.C.S.) as a guide to determine the statutes considered primarily within the insurance area. Some statutes were included despite the fact that they do not appear in 40 Purdon's:

--the act of December 20, 1983 (P.L.260, No.72) (Code §§ 1171-1177). This act deals with the licensure of public insurance adjusters and solicitors by the Insurance Department.

--the act of June 30, 1923 (P.L.984, No.404) (Code § 4115). This act deals with transfer restrictions regarding membership in organizations providing for mutual benefit insurance and other cooperative associations. The provisions of the act are stated in a form applicable to associations for mutual benefit insurance (Code § 4115). Consequently, the 1923 act is repealed insofar as it applies to associations for mutual benefit insurance.

--the act of February 12, 1984 (P.L.26, No.11), known as the Motor Vehicle Financial Responsibility Law, presently 75 Pa.C.S. Ch. 17 (Code §§ 6301-6398). This act was included at the suggestion of the Task Force on Insurance Laws. The act includes detailed regulation of the coverage required to be offered under automobile insurance policies, and was therefore considered appropriate for inclusion in this Code.

Many other statutes touch and concern the business of insurance; to have included them all would have resulted in a greatly expanded piece of legislation. The following types of statutes concerning the business of insurance are generally not included:

- workmens' compensation and occupational disease statutes, except those regarding provisions of policies providing liability coverage to employers and regarding the organization of companies authorized to provide such coverage.
- terms of retirement and disability benefits for public employees.
- unemployment compensation insurance.
- insurance covering deposits in financial institutions.
- authorizations or requirements of public agencies, political subdivisions or public officials to procure insurance and provisions regulating the procurement of insurance.
- provisions relating to relations between the Insurance Department and its employees, such as civil service regulations.
- the State Insurance Fund and provisions relating to insurance coverage of the property of the Commonwealth or its political subdivisions.
- provisions relating to payments by public authorities on losses covered by insurance.

- publicly established or publicly financed funds insuring against environmental damage (e.g., the Pest Control Insurance Fund established pursuant to 1967 P.L.517, No.251).
- provisions permitting other persons to invest in insurance companies.
- securities regulations affecting insurance companies, inter alia.
- statutes levying taxes on insurance company income or based on insurance premiums, unless the provisions levying the tax are part of an act otherwise falling within the scope of this Code.
- insurance proceeds or other insurance-related property as part of an estate or account which is subject to Title 20 of the Pennsylvania Consolidated Statutes (the Probate, Estates and Fiduciaries Code).
- authorizations or requirements of professional licensees to purchase insurance.
- requirements to disclose the fact of insurance coverage or insurance charges or terms in connection with the sale or rental of real or personal property.

REVISION OF HEALTH CARE SERVICES
MALPRACTICE ACT

It was necessary to substantially revise the provisions of the Health Care Services Malpractice Act of October 15, 1975 (P.L.390, No.111). In Mattos v. Thompson, 491 Pa. 385 (1980) the Supreme Court held the arbitration provisions of the act unconstitutional because the exclusive original jurisdiction of the arbitration panels, combined with the lengthy delays in disposing of cases brought before the panels, impermissibly infringed upon the right to trial by jury guaranteed under Article I, Section 6 of the

Constitution of Pennsylvania. The Attorney General concluded after Mattos that the arbitration panels could exercise concurrent jurisdiction if the consent of all parties was obtained to the arbitration proceedings (Op. Atty. Gen. No. 80-2). The Arbitration Panels for Health Care of the Office of General Counsel continue to hold conciliation conferences in cases referred to the panels by the Courts of Common Pleas under 42 Pa.C.S. § 7362 pursuant to the local rules of the referring court. In Heller v. Frankston, 504 Pa. 528 (1984), the Supreme Court stated that the Mattos decision had struck down the entire arbitration procedure, not merely its exclusive original jurisdiction feature. However, the Court concluded it lacked power to prescribe an alternative procedure to the one invalidated, noting that the alternative procedure could be provided only by legislation.

The code provides a procedure falling between conciliation conferences and exclusive original jurisdiction as provided under the act. In order to eliminate the constitutional objections raised in Heller and Mattos, the panels are vested with concurrent original jurisdiction to be exercised only with the consent of all parties to the action and only in those judicial districts where reference to the panels is permitted by local rules of court. The procedure set forth in Chapter 71, subchapters B and C, retains the binding arbitration feature of the original act, as this appears to be closer to the legislative intent than a program providing settlement conferences. The Code supplies the "jurisdictional predicate" for

the arbitration panels which was held in Heller to be beyond the court's power to supply.

Revisions to any specific section of the Health Care Services Malpractice Act are explained in the comments to the Code section where the revision appears.

II. Source Notes and Comments

The source for each section of the Code is set forth below. Comments are added where the provision is other than an edited reenactment of existing law. Comments are also used to direct attention to a relevant uncodified statutory provision.

As used in these source notes and comments, ICL refers to the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, and IDA refers to the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of one thousand nine hundred and twenty-one.

Omissions of subsections or significant smaller units are explained in the comment to the section in which the omitted material would otherwise appear. Where sections or acts were repealed and not included in the Code, the references to the prior act and the explanation are provided in the Omitted Sections beginning on p. 165.

PART I. PRELIMINARY PROVISIONS

CHAPTER 1. GENERAL PROVISIONS

Comment: For bases of personal jurisdiction over persons outside Pennsylvania arising from acts relating to the business of insurance, see 42 Pa.C.S. § 5322(a)(6).

For insurance-related assets which are exempt from attachment or execution on a judgment, see 42 Pa.C.S. § 8124(c).

Section 101. Short title of title

Source: New.

Section 102. Definitions

Source:

"Alien." New.

"Association." Act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921 (ICL) § 101; 40 P.S. § 361. Act of May 17, 1921 (P.L.789, No.285), known as the Insurance Department Act of 1921 (IDA) § 101; 40 P.S. § 21.

"Authorized." New.

"Certificate of authority." 40 Pa.C.S. § 101.

"Commission." New.

"Company." IDA § 101; 40 P.S. § 21.
ICL § 101; 40 P.S. § 361.

"Corporation not-for-profit." 40 Pa.C.S. § 101.

"Department." 40 Pa.C.S. § 101.

"Domestic." New.

"Entity." New.

"Exchange." IDA § 101; 40 P.S. § 21.
ICL § 101; 40 P.S. § 361.

"Regulation." New.

PART II. REGULATION OF INSURERS AND RELATED

PERSONS GENERALLY

CHAPTER 3. GENERAL PROVISIONS

Comment: For property held or owing by an insurer which is presumed abandoned and unclaimed, see section 1301.4 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

Section 301. Definitions [Reserved]

Section 302. Applicability of part

Source: IDA § 103; 40 P.S. § 23.

Comment: Corporations subject to the supervision of the Department of Banking which also engage in a title insurance or mortgage guarantee business or in any other business subject to the commissioner's supervision are not subject to the Department of Banking's supervision as to the branch of business supervised by the commissioner. Section 201 of the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking Code.

Section 303. Compliance with part

Source: IDA § 106; 40 P.S. § 26.

Section 304. Regulations

Source: New.

Comment: This provision is new. It is generalized from section 506 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929 and from the numerous provisions which are designated in these comments and in the omitted sections as "supplied by Code § 304."

CHAPTER 5. INSURANCE DEPARTMENT

Section 501. Establishment of department

Source: IDA § 201; 40 P.S. § 41.

Comment: For additional provisions relating to the administration and powers of the Insurance Department, see §§ 201, 206, 1501 and 1502 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

The prothonotary and the clerk of the orphans' court division of the court of common pleas are required to make to the department such periodic or special reports concerning matters commenced against persons subject to the supervision of the department as the department may specify by regulation. 42 Pa.C.S. § 2705(b).

The Public School Employees' Retirement Fund and the accounts provided for by the Public School Employees' Retirement Fund are subject to the supervision of the department, 24 Pa.C.S. § 8532. The State Employees' Retirement Fund and the accounts provided for by the State Employees' Retirement Code are also subject to the supervision of the department. 71 Pa.C.S. § 5932.

Section 502. Appointment of commissioner

Source: IDA § 202; 40 P.S. § 42.

Comment: For additional provisions relating to the commissioner, see §§ 206, 207.1(d)(1) and 209 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 503. Restrictions on officers and employees

Source: IDA § 205; 40 P.S. § 43.

Section 504. Seal

Source: IDA § 206; 40 P.S. § 44.

Section 505. Certified documents and copies

Source: IDA § 207; 40 P.S. § 45.

Section 506. Certificates of authority to do business

Source: IDA § 208; 40 P.S. § 46.

Section 507. Penalty for acting without authority

Source: (a) - IDA § 209 (1st p.); 40 P.S. § 47 (1st p.).

(b) - IDA § 209 (2d p.); 40 P.S. § 47 (2nd p.).

(c) - IDA § 209A; 40 P.S. § 47a.

(d) - IDA § 209 (3d p.); 40 P.S. § 47 (3rd p.).

Comment: See also 18 Pa.C.S. § 7308 (unlawful advertising of insurance business).

Section 508. Fees

Source: (a) - IDA § 211; 40 P.S. § 49; act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, § 612-A; 71 P.S. § 240.12A.

(b) - IDA § 222; 40 P.S. § 60.

Comment: The Department of Revenue is required to assign or designate an agent for the purpose of receiving the fees which the commissioner is authorized to collect. See section 602 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

No city of the third class, township or borough may levy or collect any license fee upon an authorized insurance company. See section 2611 of the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code; section 2911 of the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code; section 1812 of the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code; and section 2906 of the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code.

Section 509. Assessments for expenses of Committee on Valuation of Securities

Source: IDA § 211.1; 40 P.S. § 49.1.

Section 510. Additional restrictions of other states

Source: IDA § 212; 40 P.S. § 50.

Section 511. Examination of companies

Source: (a), (b) - IDA § 213; 40 P.S. § 51.

(c) - IDA § 214; 40 P.S. § 52.

Section 512. Powers with regard to examinations

Source: IDA § 216; 40 P.S. § 54.

Section 513. Collection of taxes, fines and penalties

Source: IDA § 218; 40 P.S. § 56.

Comment: The Department of Revenue is required to assign or designate an agent for the purpose of receiving the fines and penalties which the commissioner is authorized to impose and collect. See section 602 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

Section 514. Records and report of department

Source: IDA § 219; 40 P.S. § 57.

CHAPTER 7. RESERVE LIABILITY

SUBCHAPTER A. LIFE INSURANCE AND ANNUITIES

Section 701. Valuation by commissioner

Source: IDA § 301(a) and (f); 40 P.S. § 71(a) and (f).

Section 702. Computation of reserves on prior policies

Source: IDA § 301(b); 40 P.S. § 71(b).

Section 703. Computation of reserves on recent policies

Source: IDA § 301(c); 40 P.S. § 71(c).

Section 704. Reserve fund

Source: IDA § 301(d) and 302; P.S. §§ 71(d) and 72.

Section 705. Alternative reserve determination

Source: IDA § 301(e); 40 P.S. § 71(e).

Section 706. Computation of reserves for health and accident insurance

Source: IDA § 301.1; 40 P.S. § 71.1.

Section 707. Minimum reserve requirements of certain companies

Source: IDA § 303; 40 P.S. § 73.

Section 708. Valuations by other states

Source: IDA § 304; 40 P.S. § 74.

Section 709. Valuation of securities

Source: IDA § 305, 40 P.S. § 75.

SUBCHAPTER B. INSURANCE OTHER THAN LIFE INSURANCE

Section 721. Computation of unearned premium liability

Source: (a) - IDA § 310; 40 P.S. § 91.

(b) - IDA § 311; 40 P.S. § 92.

(c) - IDA § 311.1; 40 P.S. § 93.

(d) - IDA § 325; 40 P.S. § 141.

SUBCHAPTER C. WORKMEN'S COMPENSATION AND LIABILITY

INSURANCE

Section 731. Definitions

Source: IDA § 312; 40 P.S. § 111.

Section 732. Computation of reserves

Source: IDA § 313; 40 P.S. § 112.

Section 733. Distribution of unallocated loss expense payments

Source: IDA §§ 314 and 315; 40 P.S. §§ 113 and 114.

Section 734. Power of commissioner to determine reserves

Source: IDA § 316; 40 P.S. § 115.

SUBCHAPTER D. CASUALTY INSURANCE

Section 741. Right of action

Source: Act of May 24, 1933 (P.L.987, No.213) § 1; 40 P.S. § 117.

Section 742. Notice of impairment of funds

Source: IDA § 321; 40 P.S. § 131.

SUBCHAPTER E. TITLE INSURANCE

Section 751. Title insurance reserve

Source: Act of April 26, 1929 (P.L.834, No.362) § 1; 40 P.S. §§ 151-158.

Comment: Subsection (b) - For purposes of calculating the reserve fund, the premium does not include examination and settlement fees. See § 1(b) of the act of April 26, 1929 (P.L.834, No.362); 40 P.S. § 152.

Subsections (c) and (g) - In accordance with IDA § 221, the duties mentioned in these subsections formerly assigned to the Secretary of Banking are assigned to the commissioner.

Section 752. Reinsurance on liquidation of company

Source: Act of June 12, 1931 (P.L.566, No.197) § 1; 40 P.S. § 160.

Comment: In accordance with IDA § 221, the duties mentioned in this section formerly assigned to the Secretary of Banking are assigned to the commissioner.

Section 753. Recovery by policyholders

Source: Act of June 12, 1931 (P.L.566, No.197).

(a) - § 2; 40 P.S. § 161.

(b) - § 2; 40 P.S. § 161.

(c) - §§ 2 and 3; 40 P.S. §§ 161 and 162.

(d) - § 4; 40 P.S. § 163.

CHAPTER 9. DEPOSITS OF SECURITIES TO DO INTERSTATE BUSINESS

Section 901. Deposit of securities with commissioner

Source: IDA § 401; 40 P.S. § 181.

Section 902. State Treasurer as custodian

Source: IDA § 402; 40 P.S. § 182.

Section 903. Return of securities

Source: IDA § 403; 40 P.S. § 183.

Section 904. Actions in equity regarding deposits

Source: IDA § 404; 40 P.S. § 184.

CHAPTER 11. LICENSED INDIVIDUALS

SUBCHAPTER A. AGENTS

Comment: For provisions regarding the licensure of motor vehicle physical damage appraisers by the commissioner, see act of December 29, 1972 (P.L.1713, No.367), known as the Motor Vehicle Physical Damage Appraiser Act.

Section 1101. Definition of agent

Source: IDA § 601; 40 P.S. § 231.

Comment: Subsection (b) - Title insurance agents are excluded, reflecting section 4 of the act of August 14, 1963 (P.L.922, No.439).

Section 1102. Certification of agents

Source: IDA § 602; 40 P.S. § 232.

Section 1103. Licenses of agents

Source: IDA § 603 and § 211 for last sentence of subsection (c); 40 P.S. §§ 233 and 49.

Comment: Subsection (c) - For fees relating to licensure of agents, see section 612-A(2) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929. For fees relating to agents of fraternal benefit societies, see section 612-A(3) of that act.

No city of the third class, township or borough may levy or collect any license fee upon an authorized insurance agent. See comment to section 508 for relevant citations.

Section 1104. Penalty for doing business as agent without license

Source: IDA § 604; 40 P.S. § 234.

Section 1105. Personal liability of agents for unauthorized entity

Source: IDA § 605; 40 P.S. § 235.

Comment: The last sentence of IDA § 605 is supplied by Code § 1101(b)(2)(iv).

Section 1106. Penalty for advertising as agent of unauthorized entity

Source: IDA § 606; 40 P.S. § 236.

Section 1107. Penalty for soliciting for nonexistent company

Source: IDA § 607; 40 P.S. § 237.

Section 1108. Licensure of nonresident agents

Source: IDA § 608; 40 P.S. § 238.

SUBCHAPTER B. AUTOMOBILE INSURANCE

Section 1121. Definitions

Source: Act of September 22, 1978 (P.L.763, No.143), § 1; 40 P.S. § 241.

Section 1122. Cancellation of contract

Source: Act of September 22, 1978 (P.L.763, No.143), § 2; 40 P.S. § 242.

Section 1123. Continuation of business

Source: Act of September 22, 1978 (P.L.763, No.143), § 3; 40 P.S. § 243.

Section 1124. Exclusions

Source: Act of September 22, 1978 (P.L.763, No.143), § 4; 40 P.S. § 244.

Section 1125. Penalties

Source: Act of September 22, 1978 (P.L.763, No.143), § 5; 40 P.S. § 245.

SUBCHAPTER C. INSURANCE BROKERS

Section 1131. Definitions

Source: IDA § 621; 40 P.S. § 251.

Comment: The exclusion of title insurance reflects section 4 of the act of August 14, 1963 (P.L.922, No.439).

Section 1132. Licenses of brokers

Source: IDA § 622 and § 211 for last sentence of subsection (c);
40 P.S. §§ 252 and 49.

Comment: No city of the third class, township or borough may levy
or collect any license fee upon an authorized insurance broker.
See comment to section 508 for relevant citations.

For provisions regarding retention of license as an insurance
broker for persons in military service, see 51 Pa.C.S.
§§ 7501-7503.

Subsection (c) - For fees relating to licensure of brokers, see
section 612-A(2) of the act of April 9, 1929 (P.L.177, No.175),
known as The Administrative Code of 1929.

Section 1133. Penalty for acting as broker without license

Source: IDA § 623; 40 P.S. § 253.

Section 1134. Doing business with unlicensed brokers

Source: IDA § 623; 40 P.S. § 253.

Section 1135. Payment of commissions to brokers

Source: IDA § 626; 40 P.S. § 256.

SUBCHAPTER D. AGENTS AND BROKERS

Section 1141. Penalty for acting for entities failing to authorize
substituted service

Source: IDA § 631; 40 P.S. § 271.

Section 1142. Larceny

Source: IDA § 633; 40 P.S. § 273.

Section 1143. Fiduciary capacity

Source: IDA § 633.1; 40 P.S. § 273.1.

Section 1144. Paying or receiving compensation for certain life insurance

Source: IDA § 634; 40 P.S. § 274.

Section 1145. Offering rebates and inducements

Source: IDA § 635; 40 P.S. § 275.

Section 1146. Acceptance of rebates

Source: IDA § 636; 40 P.S. § 276.

Section 1147. Misrepresentation of policy terms

Source: IDA § 637; 40 P.S. § 277.

Section 1148. Misrepresentations to induce change of insurers

Source: IDA § 638; 40 P.S. § 278.

Section 1149. Penalties imposed by commissioner

Source: (a), (b), (c) - IDA § 639; 40 P.S. § 279.

(d) - IDA § 640; 40 P.S. § 280.

Section 1150. Exemption from licensure

Source: IDA § 641; 40 P.S. § 281.

Comment: This section is specifically made applicable to the operations of the Pennsylvania Savings Association Insurance Corporation by section 9 of the act of April 6, 1979 (P.L.17, No.5).

Subsection (c) - This subsection is derived from section 2 of the act of December 30, 1974 (P.L.1148, No.365), which added IDA § 641.

SUBCHAPTER E. MANAGERS AND EXCLUSIVE GENERAL AGENTS

Section 1161. Certification

Source: IDA § 650; 40 P.S. § 290.

Section 1162. Licensure

Source: IDA § 651; 40 P.S. § 291.

Comment: Subsection (c) - For license and annual renewal fees for managers or exclusive general agents for a domestic insurance company, see section 612-A(4) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 1163. Exclusion, sale or transfer

Source: IDA § 652; 40 P.S. § 292.

Section 1164. Revocation and suspension of license

Source: IDA § 653; 40 P.S. § 293.

Section 1165. Penalties

Source: IDA § 654; 40 P.S. § 294.

SUBCHAPTER F. PUBLIC ADJUSTERS AND SOLICITORS

Section 1171. Definitions

Source: Act of December 20, 1983 (P.L.260, No.72) § 1; 63 P.S. § 1601.

Section 1172. Licensure

Source: Act of December 20, 1983 (P.L.260, No.72) § 2; 63 P.S. § 1602.

Section 1173. Fees

Source: Act of December 20, 1983 (P.L.260, No.72) § 3; 63 P.S. § 1603.

Comment: For license and annual renewal fees for public adjustors and public adjustor solicitors, see section 612-A(7) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 1174. Bonds

Source: Act of December 20, 1983 (P.L.260, No.72) § 4; 63 P.S. § 1604.

Section 1175. Contracts

Source: Act of December 20, 1983 (P.L.260, No.72) § 5; 63 P.S. § 1605.

Section 1176. Penalties

Source: Act of December 20, 1983 (P.L.260, No.72) § 6; 63 P.S. § 1606.

Section 1177. Violations

Source: Act of December 20, 1983 (P.L.260, No.72) § 7; 63 P.S. § 1607.

SUBCHAPTER G. PUBLIC REMEDIES FOR UNLICENSED ACTIVITY

Section 1191. Injunction or other process

Source: (a) - IDA § 660; 40 P.S. § 297.1; act of December 20, 1983 (P.L.260, No.72), § 8(b); 63 P.S. § 1608(b).

(b) - IDA § 662; 40 P.S. § 297.3; act of December 20, 1983 (P.L.260, No.72), § 8(b); 63 P.S. § 1608(b).

(c) - IDA § 663; 40 P.S. § 297.4; act of December 20, 1983 (P.L.260, No.72), 8(c); 63 P.S. § 1608(c).

CHAPTER 13. UNLICENSED INSURERS

Section 1301. Purpose of chapter

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 1; 40 P.S. § 1006.1.

Section 1302. Definitions

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 2;
40 P.S. § 1006.2.

Section 1303. Aiding unlicensed insurers

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 3;
40 P.S. § 1006.3.

Comment: Subsection (b) - Paragraph (b)(1) of the source provision is deleted in view of its reference to a repealed act.

Section 1304. Surplus lines insurance

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 4;
40 P.S. § 1006.4.

Section 1305. Exclusions

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 5;
40 P.S. § 1006.5.

Section 1306. Declarations

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 6;
40 P.S. § 1006.6.

Comment: Paragraph (b)(2) is omitted as unnecessary.

Section 1307. Eligible surplus lines insurers

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 7;
40 P.S. § 1006.7.

Section 1308. Licensing of surplus lines agents

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 8;
40 P.S. § 1006.8.

Comment: Subsection (f) - For fees relating to licensure and certification of surplus lines agents, see section 612-A(2)(x) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 1309. Bond of surplus lines agents

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 9;
40 P.S. § 1006.9.

Section 1310. Penalties

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 10;
40 P.S. § 1006.10.

Section 1311. Surplus lines tax

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 11;
40 P.S. § 1006.11.

Section 1312. Information required on contract

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 12;
40 P.S. § 1006.12.

Section 1313. Service of process

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 13;
40 P.S. § 1006.13.

Section 1314. Rights of insured

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 14;
40 P.S. § 1006.14.

Section 1315. Penalties

Source: Act of January 24, 1966 (1965 P.L.1509, No.531), § 16;
40 P.S. § 1006.16.

CHAPTER 15. UNFAIR INSURANCE PRACTICES

Section 1501. Short title of chapter

Source: Act of July 22, 1974 (P.L.589, No.205), known as the
Unfair Insurance Practices Act, § 1; 40 P.S. § 1171.1.

Section 1502. Purpose of chapter

Source: Unfair Insurance Practices Act, § 2; 40 P.S. § 1171.2.

Section 1503. Definitions

Source: Unfair Insurance Practices Act, § 3; 40 P.S. § 1171.3.

Section 1504. Unfair practices

Source: Unfair Insurance Practices Act, §§ 4 and 5; 40 P.S. §§ 1171.4 and 1171.5.

Section 1505. Immunity for statements or information

Source: Unfair Insurance Practices Act, § 6; 40 P.S. § 1171.6.

Section 1506. Powers of commissioner

Source: Unfair Insurance Practices Act, § 7; 40 P.S. § 1171.7.

Section 1507. Administrative action

Source: Unfair Insurance Practices Act.

(a)-(d) - § 8; 40 P.S. § 1171.8.

(e) - § 9; 40 P.S. § 1171.9.

Section 1508. Injunction

Source: Unfair Insurance Practices Act, § 10; 40 P.S. § 1171.10.

Section 1509. Civil penalties

Source: Unfair Insurance Practices Act, § 11; 40 P.S. § 1171.11.

Section 1510. Exclusions

Source: Unfair Insurance Practices Act, § 14; 40 P.S. § 1171.14.

CHAPTER 17. REPORTING REQUIREMENTS

Section 1701. Definitions

Source: Act of July 31, 1968 (P.L.941, No.288), § 1; 40 P.S. § 995.1.

Section 1702. Disposal of assets

Source: Act of July 31, 1968 (P.L.941, No.288), § 2; 40 P.S. § 995.2.

Section 1703. Ceding or reinsurance

Source: Act of July 31, 1968 (P.L.941, No.288), § 3; 40 P.S. § 995.3.

Section 1704. Business operations

Source: Act of May 9, 1949 (P.L.1025, No.298) and act of June 11, 1947 (P.L.551, No.247), known as The Fire, Marine and Inland Marine Rate Regulatory Act.

(a) - 1949 act §§ 1, 2; 40 P.S. §§ 1261, 1262; 1947 act § 13.1(a), (b); 40 P.S. § 1233.1(a), (b).

(b) - 1949 act § 3; 40 P.S. § 1263; 1947 act § 13.1(c); 40 P.S. § 1233.1(c).

(c) - 1949 act § 4; 40 P.S. § 1264; 1947 act § 13.1(d); 40 P.S. § 1233.1(d).

Section 1705. Reports of financial condition

Source: ICL § 320; 40 P.S. § 443.

Section 1706. Additional reports from foreign or alien entities

Source: ICL § 321; 40 P.S. § 444.

(b) (last sent.) - Act of May 31, 1933 (P.L.1094, No.269), § 2; 40 P.S. 440a.

Comment: For tax on gross premiums received by insurance companies, see §§ 901-904 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

CHAPTER 19. INSURANCE RATES

Section 1901. General provisions

Source: (a) - New.

(b) - Act of June 11, 1947 (P.L.538, No.246), known as The Casualty and Surety Rate Regulatory Act, § 1; 40 P.S. § 1181; act of June 11, 1947 (P.L.551, No.247), known as The Fire, Marine and Inland Marine Rate Regulatory Act, § 1; 40 P.S. § 1221.

Section 1902. Scope of chapter

Source: (a), (c) - The Casualty and Surety Rate Regulatory Act, § 2; 40 P.S. § 1182.

(b), (d) - The Fire, Marine and Inland Marine Rate Regulatory Act, § 2; 40 P.S. § 1222.

Comment: Premiums charged for ride-sharing vehicles are required to be approved under the provisions of this chapter. Section 5(b) of the act of December 14, 1982 (P.L.1211, No.279).

Section 1903. Ratemaking

Source: The Casualty and Surety Rate Regulatory Act, § 3; 40 P.S. § 1183; The Fire, Marine and Inland Marine Rate Regulatory Act, § 3; 40 P.S. § 1223.

Section 1904. Rate filings

Source: The Casualty and Surety Rate Regulatory Act, § 4; 40 P.S. § 1184; The Fire, Marine and Inland Marine Rate Regulatory Act, § 4; 40 P.S. § 1224.

Section 1905. Disapproval of filings

Source: The Casualty and Surety Rate Regulatory Act, § 5; 40 P.S. § 1185; The Fire, Marine and Inland Marine Rate Regulatory Act, § 5; 40 P.S. § 1225.

Section 1906. Rating organizations

Source: The Casualty and Surety Rate Regulatory Act, § 6; 40 P.S. § 1186; The Fire, Marine and Inland Marine Rate Regulatory Act, § 6; 40 P.S. § 1226.

Section 1907. Deviations

Source: The Casualty and Surety Rate Regulatory Act, § 7; 40 P.S. § 1187; The Fire, Marine and Inland Marine Rate Regulatory Act, § 7; 40 P.S. § 1227.

Section 1908. Appeal by minority

Source: The Casualty and Surety Rate Regulatory Act, § 8; 40 P.S. § 1188; The Fire, Marine and Inland Marine Rate Regulatory Act, § 8; 40 P.S. § 1228.

Section 1909. Information to be furnished insureds

Source: The Casualty and Surety Rate Regulatory Act, § 9; 40 P.S. § 1189; The Fire, Marine and Inland Marine Rate Regulatory Act, § 9; 40 P.S. § 1229.

Section 1910. Hearings and appeals of insureds

Source: The Casualty and Surety Rate Regulatory Act, § 9; 40 P.S. § 1189; The Fire, Marine and Inland Marine Rate Regulatory Act, § 9; 40 P.S. § 1229.

Section 1911. Advisory organizations

Source: The Casualty and Surety Rate Regulatory Act, § 10; 40 P.S. § 1190; The Fire, Marine and Inland Marine Rate Regulatory Act, § 10; 40 P.S. § 1230.

Section 1912. Joint underwriting or joint reinsurance

Source: The Casualty and Surety Rate Regulatory Act, § 11; 40 P.S. § 1191; The Fire, Marine and Inland Marine Rate Regulatory Act, § 11; 40 P.S. § 1231.

Section 1913. Examinations

Source: The Casualty and Surety Rate Regulatory Act, § 12; 40 P.S. § 1192; The Fire, Marine and Inland Marine Rate Regulatory Act, § 12; 40 P.S. § 1232.

Section 1914. Recording and reporting of loss and expense experience

Source: The Casualty and Surety Rate Regulatory Act, § 13(a); 40 P.S. § 1193(a); The Fire, Marine and Inland Marine Rate Regulatory Act, § 13(a); 40 P.S. § 1233(a).

Comment: Section 13(b) and (d) of the source acts supplied by Code § 304. 13(c) of the source acts is deleted as unnecessary.

Section 1915. False or misleading information

Source: The Casualty and Surety Rate Regulatory Act, § 14; 40 P.S. § 1194; The Fire, Marine and Inland Marine Rate Regulatory Act, § 14; 40 P.S. § 1234.

Section 1916. Assigned risks

Source: The Casualty and Surety Rate Regulatory Act, § 15; 40 P.S. § 1195.

Section 1917. Penalties

Source: The Casualty and Surety Rate Regulatory Act, § 16; 40 P.S. § 1196; The Fire, Marine and Inland Marine Rate Regulatory Act, § 15; 40 P.S. § 1235.

Section 1918. Hearing procedure and judicial review

Source: The Casualty and Surety Rate Regulatory Act, § 17; 40 P.S. § 1197; The Fire, Marine and Inland Marine Rate Regulatory Act, § 16; 40 P.S. § 1236.

CHAPTER 21. RECIPROCAL AND INTER-INSURANCE EXCHANGES

Section 2101. General provisions

Source: (a) - "Attorney" - ICL § 1003; 40 P.S. § 963.

"Subscriber" - ICL § 1001; 40 P.S. § 961.

(b) - Act of August 14, 1963 (P.L.922, No.439), § 2; 40 P.S. § 910-1 note.

Section 2102. Authority to exchange

Source: (a) - ICL § 1001; 40 P.S. § 961.

(b) - ICL § 1002; 40 P.S. § 962.

(c) - ICL § 1003; 40 P.S. § 963.

Section 2103. Declarations

Source: ICL § 1004; 40 P.S. § 964.

Section 2104. Certificates of attorney

Source: ICL § 1005; 40 P.S. § 965.

Section 2105. Statements to be filed by attorney

Source: (a) - ICL § 1006; 40 P.S. § 966.

(b) - ICL § 1007; 40 P.S. § 967.

Section 2106. Examination by commissioner

Source: ICL § 1007; 40 P.S. § 967.

Section 2107. Reserves

Source: ICL § 1008; 40 P.S. § 968.

Section 2108. Fees and taxes

Source: ICL § 1009; 40 P.S. § 969.

Section 2109. Penalty

Source: ICL § 1011; 40 P.S. § 971.

CHAPTER 23. LLOYDS ASSOCIATIONS

Section 2301. Definition

Source: ICL § 901; 40 P.S. § 931.

Section 2302. Authorization

Source: (a) - ICL § 901; 40 P.S. § 931.

(b) - ICL § 902; 40 P.S. § 932.

Section 2303. Declarations

Source: ICL § 903; 40 P.S. § 933.

Section 2304. Certification to do business

Source: ICL § 904; 40 P.S. § 934.

Section 2305. Examination by commissioner

Source: ICL § 905; 40 P.S. § 935.

Section 2306. Deposits by alien underwriters

Source: ICL § 906; 40 P.S. § 936.

Section 2307. Return of deposits

Source: ICL § 907; 40 P.S. § 937.

Section 2308. Additional and substituted underwriters

Source: ICL § 908; 40 P.S. § 938.

Section 2309. Information to be furnished to commissioner

Source: ICL § 909; 40 P.S. § 939.

Section 2310. Maximum amount of risks

Source: ICL § 910; 40 P.S. § 940.

Section 2311. Applicability of other provisions

Source: (a) - ICL § 911; 40 P.S. § 941.

(b) - ICL § 912; 40 P.S. § 942.

Section 2312. Penalties

Source: (a) - ICL § 913; 40 P.S. § 943.

(b) - ICL § 914; 40 P.S. § 944.

PART III. ORGANIZATION OF INSURANCE ENTITIES

CHAPTER 31. GENERAL PROVISIONS

Section 3101. Scope of part

Source: (a)-(c) - ICL § 103; 40 P.S. § 363.

(d) - Act of May 5, 1933 (P.L.364, No.106), known as the Business Corporation Law, § 4; 15 P.S. § 1004.

Comment: Subsection (d) - Section 1014B of the act of May 5, 1933 (P.L.364, No.106), known as the Business Corporation Law, deals with the validation of real estate titles transferred from foreign corporations not authorized to hold real estate.

Domestic, foreign and alien insurance corporations are generally excluded from Title 15 of the Pennsylvania Consolidated Statutes. 15 Pa.C.S. §§ 101 and 102.

Section 3102. Acceptance of part

Source: ICL § 104; 40 P.S. § 364.

Section 3103. Exemption from part

Source: ICL § 105; 40 P.S. § 365.

Section 3104. Power of General Assembly regarding charters

Source: ICL § 106; 40 P.S. § 366.

Section 3105. Persons prohibited from insurance business

Source: ICL § 107; 40 P.S. § 367.

Section 3106. Judicial proceedings

Source: ICL § 344; 40 P.S. § 466.

CHAPTER 33. INCORPORATION OF INSURANCE COMPANIES

SUBCHAPTER A. FORMATION OF CORPORATIONS

Section 3301. Classes of insurance companies

Source: ICL § 201; 40 P.S. § 381.

Section 3302. Authorized classes of insurance

Source: ICL § 202; act of June 19, 1981 (P.L.94, No.33), § 2, at subsection (d); 40 P.S. § 382.

Comment: Subsection (c) - Corporations subject to supervision of the Department of Banking which also engage in a title insurance or mortgage guarantee business or in any other business subject to the commissioner's supervision are not subject to the Department of Banking's supervision as to the branch of business supervised by the commissioner. Section 201 of the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking Code.

Section 3303. Articles of agreement

Source: ICL §§ 203 and 207 at paragraph (7); 40 P.S. §§ 383 and 387.

Section 3304. Name of company

Source: ICL § 204; 40 P.S. § 384.

Section 3305. Capital stock

Source: ICL § 205; 40 P.S. § 385.

Section 3306. Minimum capital stock and financial requirements

Source: ICL § 206; 40 P.S. § 386.

Section 3307. Officers and directors

Source: ICL § 208; 40 P.S. § 388.

Section 3308. Subscriptions

Source: ICL § 209; 40 P.S. § 389.

SUBCHAPTER B. PROMOTION

Section 3321. Definition

Source: Act of July 11, 1917 (P.L.804, No.309), § 1; 40 P.S. § 390.

Section 3322. Prohibited acts

Source: Act of July 11, 1917 (P.L.804, No.309), § 2; 40 P.S. § 391.

Section 3323. Limitation on promotional expenses

Source: Act of July 11, 1917 (P.L.804, No.309), § 3; 40 P.S. § 392.

Section 3324. Form of application or contract

Source: Act of July 11, 1917 (P.L.804, No.309), § 4; 40 P.S. § 393.

Section 3325. Depositories

Source: Act of July 11, 1917 (P.L.804, No.309), § 5; 40 P.S. § 394.

Section 3326. Disclosure of interest

Source: Act of July 11, 1917 (P.L.804, No.309), § 6; 40 P.S. § 395.

Section 3327. Prohibited terms

Source: Act of July 11, 1917 (P.L.804, No.309), § 7; 40 P.S. § 396.

Section 3328. Advertisements and prospectuses

Source: Act of July 11, 1917 (P.L.804, No.309), § 8; 40 P.S. § 397.

Section 3329. Remedies

Source: Act of July 11, 1917 (P.L.804, No.309), § 9; 40 P.S. § 398.

Section 3330. Criminal penalties

Source: Act of July 11, 1917 (P.L.804, No.309), § 10; 40 P.S. § 399.

SUBCHAPTER C. AUTHORIZATION

Section 3341. Certification to commissioner

Source: ICL § 210; 40 P.S. § 400.

Section 3342. Approval of articles of agreement and letters patent

Source: ICL § 211; 40 P.S. § 401.

Section 3343. Recording of articles of agreement and letters patent

Source: ICL § 213; 40 P.S. § 403.

Section 3344. Information filed with the Auditor General

Source: ICL § 214; 40 P.S. § 404.

Section 3345. Certificate of authority

Source: ICL § 215; 40 P.S. § 405.

Comment: No city of the first class, township or borough may levy or collect any license fee upon an authorized insurance company. See comment to section 508 for relevant citations.

Subsection (a) - The phrase "meets the requirements" is added in view of Fairmount Insurance Co. v. Commonwealth, Insurance Department, 85 Pa. Commonwealth Ct. 131 (1984), holding that the commissioner may examine an insurance company which has applied for a certificate of authority with respect to the qualifications of its incorporators and directors after the commissioner has approved the applicant's articles of incorporation.

SUBCHAPTER D. VALUATION OF SECURITIES

Section 3351. Valuation of securities

Source: Act of July 12, 1935 (P.L.969, No.312) § 1; 40 P.S. § 405a.

SUBCHAPTER E. CONVERSION OF MUTUAL COMPANIES
TO CORPORATIONS

Section 3361. Definitions

Source: Act of December 10, 1970 (P.L.884, No.279), § 1; 40 P.S. § 1010.1.

Section 3362. Valuation of interest of owner

Source: Act of December 10, 1970 (P.L.884, No.279), § 2; 40 P.S. § 1010.2.

Section 3363. Documentation filed with commissioner

SOURCE: Act of December 10, 1970 (P.L.884, No.279), § 3; 40 P.S. § 1010.3.

Section 3364. Determination by commissioner

Source: Act of December 10, 1970 (P.L.884, No.279), § 4; 40 P.S. § 1010.4.

Section 3365. Hearing on approval

Source: Act of December 10, 1970 (P.L.884, No.279), §§ 5 and 6; 40 P.S. §§ 1010.5 and 1010.6.

Section 3366. Approval of plan of conversion by policyholders

Source: Act of December 10, 1970 (P.L.884, No.279), § 7; 40 P.S. § 1010.7.

Section 3367. Recording plan of conversion

Source: Act of December 10, 1970 (P.L.884, No.279), § 8(a) and (b); 40 P.S. § 1010.8(a) and (b).

Section 3368. Legal effect of conversion

Source: Act of December 10, 1970 (P.L.884, No.279), § 8(b); 40 P.S. § 1010.8(b).

Section 3369. Subscriptions to capital stock of company

Source: Act of December 10, 1970 (P.L.884, No.279), §§ 9 and 10; 40 P.S. §§ 1010.9 and 1010.10.

Section 3370. Survival of mutual policies

Source: Act of December 10, 1970 (P.L.884, No.279), § 11; 40 P.S. § 1010.11.

Section 3371. Law applicable to converted companies

Source: Act of December 10, 1970 (P.L.884, No.279), § 13; 40 P.S. § 1010.13.

Section 3372. Commencement of business

Source: Act of December 10, 1970 (P.L.884, No.279), § 14; 40 P.S. § 1010.14.

CHAPTER 35. CORPORATE OPERATIONS

SUBCHAPTER A. CONDUCT OF BUSINESS

Section 3501. Use of company name

Source: ICL § 301.1; 40 P.S. § 421.1.

Comment: The last sentence of ICL § 301.1 is supplied by 1 Pa.C.S. §§ 1962 and 1976.

Section 3502. Stock and stockholders

Source: ICL § 302; 40 P.S. § 422.

Section 3503. Ownership of stock

Source: ICL § 302.1; 40 P.S. § 422.1.

Comment: The first sentence of ICL § 302.1 is supplied by Code § 304.

Section 3504. Bylaws and seal

Source: ICL § 303; 40 P.S. § 423.

Section 3505. Administrative affairs

Source: ICL § 314; 40 P.S. § 437.

Section 3506. Salaries of employees in military service

Source: ICL § 315; 40 P.S. § 438.

Section 3507. Pensions

Source: ICL § 316; 40 P.S. § 439.

Section 3508. Execution of insurance policies

Source: ICL § 317; 40 P.S. § 440.

Section 3509. Joint policies

Source: ICL § 317.1; 40 P.S. § 440.1.

Section 3510. Incorporation of documents in policy

Source: ICL § 318; 40 P.S. § 441.

Section 3511. Lost insurance policies

Source: Act of March 4, 1850 (P.L.126, No.110).

(a) - § 1; 40 P.S. § 467.

(b) - § 2; 40 P.S. § 468.

Comment: Much of section 2 and all of section 3 of the act of March 4, 1850 (P.L.126, No.110), have been omitted as obsolete.

Section 3512. Reinsurance

Source: ICL § 319; 40 P.S. § 442.

Section 3513. Reinsurance credits

Source: ICL § 319.1; 40 P.S. § 442.1.

Section 3514. Reinsurance among affiliates

Source: ICL § 319.2; 40 P.S. § 442.2.

Section 3515. Approval of contracts by commissioner

Source: ICL § 354 (first four paragraphs); 40 P.S. § 477b.

Section 3516. Mortgage insurance

Source: ICL § 355; 40 P.S. § 477c.

Section 3517. Distribution of dividends on group insurance

Source: ICL § 356; 40 P.S. § 477d.

SUBCHAPTER B. ELECTION OF DIRECTORS AND OFFICERS

Section 3531. Annual meetings

Source: (a), (b) - ICL § 304; 40 P.S. § 424.

(c) - ICL § 305; 40 P.S. § 426.

Section 3532. Voting rights

Source: (a)-(c) - ICL § 306; 40 P.S. § 427.

(d) - ICL § 307; 40 P.S. § 428.

Section 3533. Election of directors and trustees

Source: ICL §§ 308; 40 P.S. §§ 429.

Section 3534. Mutual fire insurance companies

Source: Act of April 26, 1929 (P.L.794, No.341), §§ 1 and 2; 40 P.S. §§ 430 and 431.

Section 3535. Voting by stockholders and members

Source: ICL §§ 309; 40 P.S. §§ 432.

Section 3536. Proxies issued by domestic stock companies

Source: ICL §§ 309.1; 40 P.S. §§ 432.1.

Section 3537. Cumulative voting

Source: ICL § 310; 40 P.S. § 433.

Section 3538. Failure to elect directors or trustees

Source: ICL § 311; 40 P.S. § 434.

Section 3539. Directors and trustees

Source: ICL § 312; 40 P.S. § 435.

SUBCHAPTER C. FUNDAMENTAL CHANGES

Section 3551. Stock votes on particular subjects

Source: ICL § 313; 40 P.S. § 436.

Section 3552. Amendment of charter

Source: ICL § 322; 40 P.S. § 445.

Section 3553. Proceedings to file amended charter and certification

Source: ICL § 352; 40 P.S. § 477.

Section 3554. Power to increase capital stock

Source: ICL § 323; 40 P.S. § 446.

Section 3555. Proceedings to increase capital stock

Source: ICL § 324; 40 P.S. § 447.

Section 3556. Records of increases of capital stock

Source: ICL § 325; 40 P.S. § 448.

Section 3557. Sale of increases of capital stock

Source: ICL § 326; 40 P.S. § 449.

Section 3558. Reduction of capital stock

Source: (a) - ICL § 327; 40 P.S. § 450.

(b) - ICL § 328; 40 P.S. § 451.

(c) - ICL § 329; 40 P.S. § 452.

(d) - ICL § 330; 40 P.S. § 453.

(e), (f) - ICL § 331; 40 P.S. § 454.

SUBCHAPTER D. MERGER, CONSOLIDATION AND

VOLUNTARY DISSOLUTION

Section 3561. Power to merge or consolidate

Source: ICL § 332; 40 P.S. § 455.

Section 3562. Proceedings to merge or consolidate

Source: (a)-(c) - ICL § 333; 40 P.S. § 456.

(d) - ICL §§ 334 and 335; 40 P.S. §§ 457 and 458.

(e) - ICL § 334; 40 P.S. § 457.

Comment: Corporations under the supervision or regulation of the Insurance Department are not required to obtain tax clearance certificates from the departments of the Commonwealth prior to approval of a merger or consolidation if the surviving corporation will be a domestic or an authorized foreign corporation. See act of July 11, 1957 (P.L.691, No.366).

Section 3563. Dissenters' rights upon merger or consolidation

Source: ICL § 336; 40 P.S. § 459.

Section 3564. Merger of domestic and foreign insurance companies

Source: ICL § 337; 40 P.S. § 459a.

Comment: Corporations under the supervision or regulation of the Insurance Department are not required to obtain tax clearance certificates from the departments of the Commonwealth prior to approval of a merger or consolidation if the surviving corporation will be a domestic or an authorized foreign corporation. See act of July 11, 1957 (P.L.691, No.366).

Section 3565. Protection of competition

Source: (a) - ICL § 337.1; 40 P.S. § 459.1.

(b) - ICL § 337.2; 40 P.S. § 459.2.

(c), (d) - ICL § 337.3; 40 P.S. § 459.3.

(e) - ICL § 337.4; 40 P.S. § 459.4.

Section 3566. Merger by acquisition of stock

Source: ICL § 337.5(a), (b), (b.1), (c), (d), (e), (f), (f.1), (f.2) and (i); 40 P.S. § 459.5(a), (b), (b.1), (c), (d), (e), (f), (f.1), (f.2) and (i).

Section 3567. Dissenters' rights upon merger by acquisition of stock

Source: ICL § 337.5(g), (h), (j), (k) and (l); 40 P.S. § 459.5(g), (h), (j), (k), and (l).

Section 3568. Approval of acquisitions by commissioner

Source: ICL § 337.6; 40 P.S. § 459.6.

Comment: Subsection (j) - The definitions of "acquire," "offer to acquire" and "person" are deleted as unnecessary. The definition of "prospective subsidiary" is added to replace a phrase frequently used in the section.

Section 3569. Holding company systems

Source: ICL § 337.7; 40 P.S. § 459.7.

Section 3570. Voluntary dissolution

Source: ICL § 338; 40 P.S. § 460.

Section 3571. Dissolution for failure to do business

Source: ICL § 339; 40 P.S. § 461.

SUBCHAPTER E. FOREIGN OR ALIEN COMPANIES

Section 3576. Government-owned companies

Source: ICL § 300; 40 P.S. § 420.

Section 3577. Conditions for authorization of foreign or alien companies

Source: ICL § 301; 40 P.S. § 421.

Section 3578. Power of foreign or alien companies as to real property

Source: (a) - ICL §§ 340 and 341; 40 P.S. §§ 462 and 463.

(b) - ICL § 342; 40 P.S. § 464.

SUBCHAPTER F. VIOLATIONS AND PENALTIES

Section 3581. Embezzlement by officers or agents

Source: ICL § 345; 40 P.S. § 470.

Section 3582. Rebates and inducements

Source: ICL § 346; 40 P.S. § 471.

Section 3583. Misrepresentations

Source: (a) - ICL § 347; 40 P.S. § 472.

(b) - ICL § 348; 40 P.S. § 473.

Section 3584. Penalties for deceptive practices

Source: ICL (a)-(c) - § 350; 40 P.S. § 475.

(d) - § 351; 40 P.S. § 476.

Section 3585. Unfair discrimination

Source: ICL § 353; 40 P.S. § 477a.

Section 3586. Unauthorized business practices

Source: ICL § 354 (fifth and sixth paragraphs); 40 P.S. 477b.

Section 3587. Buying proxies

Source: Act of May 5, 1921 (P.L.350, No.170), §§ 1 and 2; 40 P.S. §§ 478 and 479.

Section 3588. Unauthorized motor vehicle services

Source: Act of June 12, 1931 (P.L.574, No.199).

(a) - §§ 1 and 3; 40 P.S. §§ 480 and 482.

(b) - § 2; 40 P.S. § 481.

Comment: Subsection (a) - Language in section 1 of the act of June 12, 1931 (P.L.574, No.199), generally prohibiting the unauthorized practice of insurance, is omitted.

Section 3589. Fraud in obtaining licenses or certificates

Source: Act of June 22, 1931 (P.L.622, No.211), § 1; 40 P.S. § 483.

Section 3590. Securities transactions

Source: Act of April 17, 1968 (P.L.95, No.45).

(a) - §§ 1 and 3; 40 P.S. §§ 488.1 and 488.3.

(b) - §§ 2, 3 and 4; 40 P.S. §§ 488.2, 488.3 and 488.4.

(c) - § 5; 40 P.S. § 488.5.

CHAPTER 37. INTERNATIONAL OPERATIONS

Section 3701. Authority to transact business outside United States

Source: Act of May 16, 1945 (P.L.587, No.242).

(a) - §§ 1 and 2; 40 P.S. §§ 1001 and 1002.

(b) - § 3; 40 P.S. § 1003.

Section 3702. Domestication of alien insurers

Source: Act of December 10, 1974 (P.L.804, No.266).

(a) - § 2; 40 P.S. § 495.2.

(b) - § 3; 40 P.S. § 495.3.

(c) - § 4; 40 P.S. § 495.4.

(d) - § 5; 40 P.S. § 495.5.

(e) - § 1; 40 P.S. § 495.1.

CHAPTER 39. SUSPENSION OF BUSINESS AND DISSOLUTION

SUBCHAPTER A. GENERAL PROVISIONS

Comment: The Department of Banking is required to examine or investigate the affairs and condition of any business partially under its supervision upon receipt of notice from the commissioner that the commissioner has become the receiver of the business, in order that the Department of Banking may determine whether any action on its part is required. Section 401C of the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking Code.

The Commonwealth Court has original jurisdiction of all civil actions or proceedings arising under this chapter. 42 Pa.C.S. § 761(a)(3).

Section 3901. Construction and purpose

Source: IDA § 501; 40 P.S. § 221.1.

Section 3902. Applicability of chapter

Source: IDA § 502; 40 P.S. § 221.2.

Section 3903. Definitions

Source: IDA § 503; 40 P.S. § 221.3.

SUBCHAPTER B. JUDICIAL AND ADMINISTRATIVE PROCEDURE

Section 3911. Jurisdiction and venue

Source: IDA § 504; 40 P.S. § 221.4.

Section 3912. Injunctions and orders

Source: IDA § 505; 40 P.S. § 221.5.

Section 3913. Cooperation of officers and employees

Source: IDA § 506; 40 P.S. § 221.6.

Section 3914. Bonds

Source: IDA § 507; 40 P.S. § 221.7.

Section 3915. Reports of commissioner

Source: IDA § 508; 40 P.S. § 221.8.

SUBCHAPTER C. SUMMARY PROCEEDINGS

Section 3921. Summary orders of commissioner

Source: IDA § 510; 40 P.S. § 221.10.

Section 3922. Supervision by commissioner

Source: IDA § 511; 40 P.S. § 221.11.

Section 3923. Seizure orders

Source: IDA § 512; 40 P.S. § 221.12.

Section 3924. Conduct of hearings

Source: IDA § 513; 40 P.S. § 221.13.

SUBCHAPTER D. REHABILITATION

Section 3931. Grounds for rehabilitation

Source: IDA § 514; 40 P.S. § 221.14.

Section 3932. Rehabilitation orders

Source: IDA § 515; 40 P.S. § 221.15.

Section 3933. Powers and duties of the rehabilitator

Source: IDA § 516; 40 P.S. § 221.16.

Section 3934. Actions by and against rehabilitator

Source: IDA § 517; 40 P.S. § 221.17.

Section 3935. Termination of rehabilitation

Source: IDA § 518; 40 P.S. § 221.18.

SUBCHAPTER E. LIQUIDATION PROCEEDINGS

Section 3941. Grounds for liquidation

Source: IDA § 519; 40 P.S. § 221.19.

Section 3942. Liquidation orders

Source: IDA § 520; 40 P.S. § 221.20.

Section 3943. Continuation of coverage

Source: IDA § 521; 40 P.S. § 221.21.

Section 3944. Dissolution of insurer

Source: IDA § 522; 40 P.S. § 221.22.

Section 3945. Powers of liquidator

Source: IDA § 523; 40 P.S. § 221.23.

Comment: IDA § 523(23) is omitted. The introductory clause is rephrased to supply the necessary flexibility.

Section 3946. Notice to creditors and others

Source: IDA § 524; 40 P.S. § 221.24.

Section 3947. Duties of agents

Source: IDA § 525; 40 P.S. § 221.25.

Section 3948. Actions by and against liquidator

Source: IDA § 526; 40 P.S. § 221.26.

SUBCHAPTER F. ESTATE OF LIQUIDATED INSURER

Section 3951. Collection and list of assets

Source: IDA § 527; 40 P.S. § 221.27.

Section 3952. Fraudulent transfers prior to petition

Source: IDA § 528; 40 P.S. § 221.28.

Section 3953. Fraudulent transfers after petition

Source: IDA § 529; 40 P.S. § 221.29.

Section 3954. Voidable preferences and liens

Source: IDA § 530; 40 P.S. § 221.30.

Section 3955. Claims of holders of void or voidable rights

Source: IDA § 531; 40 P.S. § 221.31.

Section 3956. Setoffs and counterclaims

Source: IDA § 532; 40 P.S. § 221.32.

Section 3957. Assessments

Source: IDA § 533; 40 P.S. § 221.33.

Section 3958. Liability of reinsurer

Source: IDA § 534; 40 P.S. § 221.34.

Section 3959. Recovery of premiums

Source: IDA § 535; 40 P.S. § 221.35.

Section 3960. Proposal for distribution

Source: IDA § 536; 40 P.S. § 221.36.

SUBCHAPTER G. DISTRIBUTION OF ESTATE OF
LIQUIDATED INSURER

Section 3961. Filing of claims

Source: IDA § 537; 40 P.S. § 221.37.

Section 3962. Proofs of claim

Source: IDA § 538; 40 P.S. § 221.38.

Section 3963. Special claims

Source: IDA § 539; 40 P.S. § 221.39.

Section 3964. Third-party claims

Source: IDA § 540; 40 P.S. § 221.40.

Section 3965. Disputed claims

Source: IDA § 541; 40 P.S. § 221.41.

Section 3966. Claims of surety

Source: IDA § 542; 40 P.S. § 221.42.

Section 3967. Secured claims of creditors

Source: IDA § 543; 40 P.S. § 221.43.

Section 3968. Order of distribution

Source: IDA § 544; 40 P.S. § 221.44.

Section 3969. Liquidator's recommendations to the court

Source: IDA § 545; 40 P.S. § 221.45.

Section 3970. Distribution of assets

Source: IDA § 546; 40 P.S. § 221.46.

Section 3971. Unclaimed and withheld funds

Source: IDA § 547; 40 P.S. § 221.47.

Comment: Subsection (a) - The last sentence of the source is omitted as inconsistent with article III, section 24 of the Pennsylvania Constitution.

Section 3972. Termination of proceedings

Source: IDA § 548; 40 P.S. § 221.48.

Section 3973. Reopening of liquidation

Source: IDA § 549; 40 P.S. § 221.49.

Section 3974. Disposition of records

Source: IDA § 550; 40 P.S. § 221.50.

Section 3975. External audit of receiver

Source: IDA § 551; 40 P.S. § 221.51.

Section 3976. Federal receivership

Source: IDA § 552; 40 P.S. § 221.52.

SUBCHAPTER H. INTERSTATE RELATIONS

Section 3981. Conservation of property of foreign or alien insurers

Source: IDA § 553; 40 P.S. § 221.53.

Section 3982. Liquidation of property of foreign or alien insurers

Source: IDA § 554; 40 P.S. § 221.54.

Section 3983. Foreign domiciliary receivers in other states

Source: IDA § 555; 40 P.S. § 221.55.

Section 3984. Ancillary formal proceedings

Source: IDA § 556; 40 P.S. § 221.56.

Section 3985. Ancillary summary proceedings

Source: IDA § 557; 40 P.S. § 221.57.

Section 3986. Claims of nonresidents against domiciliary insurers

Source: IDA § 558; 40 P.S. § 221.58.

Section 3987. Claims of residents against insurers of reciprocal states

Source: IDA § 559; 40 P.S. § 221.59.

Section 3988. Execution proceedings

Source: IDA § 560; 40 P.S. § 221.60.

Section 3989. Interstate priorities

Source: IDA § 561; 40 P.S. § 221.61.

Section 3990. Subordination of claims for lack of cooperation

Source: IDA § 562; 40 P.S. § 221.62.

CHAPTER 41. BENEFICIAL SOCIETIES

Section 4101. Short title of chapter

Source: New.

Section 4102. Applicability of chapter

Source: Act of June 4, 1937 (P.L.1643, No.342).

(a) - § 1A; 40 P.S. § 1101A.

(b) - § 13; 40 P.S. § 1113.

(c) - § 3D; 40 P.S. § 1103D.

Section 4103. Limitation of benefits

Source: Act of June 4, 1937 (P.L.1643, No.342), § 2; 40 P.S. § 1102.

Section 4104. Selection of directors

Source: Act of June 4, 1937 (P.L.1643, No.342), § 3A, B and C; 40 P.S. §§ 1103A, B and C.

Section 4105. Holding, management or agency corporations

Source: Act of June 4, 1937 (P.L.1643, No.342), § 4; 40 P.S. § 1104.

Section 4106. Reserves

Source: Act of June 4, 1937 (P.L.1643, No.342), § 5; 40 P.S. § 1105.

Section 4107. Investment of surplus

Source: Act of June 4, 1937 (P.L.1643, No.342), § 6; 40 P.S.
§ 1106.

Comment: For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

Section 4108. Annual statements

Source: Act of June 4, 1937 (P.L.1643, No.342), § 7; 40 P.S.
§ 1107.

Section 4109. Examinations

Source: Act of June 4, 1937 (P.L.1643, No.342), § 8; 40 P.S.
§ 1108.

Section 4110. Filing and approval of documents

Source: Act of June 4, 1937 (P.L.1643, No.342), § 9; 40 P.S.
§ 1109.

Section 4111. Qualifications of solicitors and agents

Source: Act of June 4, 1937 (P.L.1643, No.342), § 10; 40 P.S.
§ 1110.

Section 4112. Inclusion of certain documents in policy

Source: Act of June 4, 1937 (P.L.1643, No.342), § 11; 40 P.S.
§ 1111.

Section 4113. Criminal penalties

Source: Act of June 4, 1937 (P.L.1643, No.342), § 12A; 40 P.S.
§ 1112A.

Section 4114. Civil penalties

Source: Act of June 4, 1937 (P.L.1643, No.342), § 12B; 40 P.S.
§ 1112B.

Section 4115. Transfer restrictions

Source: Act of June 30, 1923 (P.L.984, No.404).

(a) - § 1; 15 P.S. § 12501.

(b) - §§ 2 and 4; 15 P.S. § 12502 and 12503.

CHAPTER 43. FRATERNAL BENEFIT SOCIETY CODE OF 1972

SUBCHAPTER A. PRELIMINARY PROVISIONS

Comment: A fraternal benefit society under this chapter may be organized as a domestic nonprofit corporation under Title 15 of the Pennsylvania Consolidated Statutes. 15 Pa.C.S. § 7311.

Section 4301. Short title and applicability of chapter

Source: (a) - New.

(b) and (c) - 40 Pa.C.S. § 6501 (1972), (act of November 15, 1972, P.L.1063, No.271).

Section 4302. Definitions

Source: 40 Pa.C.S. § 6502 (1972).

Section 4303. Exemptions applicable to fraternal benefit societies

Source: 40 Pa.C.S. § 6503 (1972).

SUBCHAPTER B. CERTIFICATION AND GENERAL

REGULATION

Section 4311. Preliminary certification

Source: (a)-(d) and (f) - 40 Pa.C.S. § 6511 (1972).

(e) - 40 Pa.C.S. § 6102(e) (1972).

Comment: For fee for filing a copy of the society's charter with the commissioner, see section 612-A(3)(i) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 4312. Organizational period

Source: 40 Pa.C.S. § 6512 (1972).

Section 4313. Permanent certificate of authority

Source: 40 Pa.C.S. § 6513 (1972).

Comment: For fee for issuing certificates, see section 612-A(3) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 4314. Certain fundamental changes

Source: 40 Pa.C.S. § 6514 (1972).

Comment: For fee for filing and reviewing agreements or merger, see section 612-A(3)(x) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Subsection (c) - This subsection applies to alien fraternal benefit societies based on the term "foreign" in the source provision.

Section 4315. Examination of societies

Source: 40 Pa.C.S. § 6515 (1972).

Comment: This section applies to alien fraternal benefit societies based on the term "foreign" in the source provision.

Section 4316. Restrictions on publication of examinations

Source: 40 Pa.C.S. § 6516 (1972).

Section 4317. Registration of principal office

Source: 40 Pa.C.S. § 6517 (1972).

SUBCHAPTER C. ORGANIZATION AND OPERATION

Section 4321. Restrictions on governmental structure

Source: 40 Pa.C.S. § 6521 (1972).

Section 4322. General powers of fraternal benefit society

Source: 40 Pa.C.S. § 6522 (1972).

Section 4323. Collection of sufficient contributions

Source: 40 Pa.C.S. § 6523 (1972).

Section 4324. Waiver of organic law

Source: 40 Pa.C.S. § 6524 (1972).

Section 4325. Individual liability

Source: 40 Pa.C.S. § 6525 (1972).

Section 4326. Power to write insurance

Source: 40 Pa.C.S. § 6526 (1972).

Section 4327. Members and beneficiaries

Source: 40 Pa.C.S. § 6527 (1972).

Section 4328. Benefits upon lives of children

Source: 40 Pa.C.S. § 6528 (1972).

Section 4329. Beneficiary certificates

Source: 40 Pa.C.S. § 6529 (1972).

Section 4330. Liens against certificates

Source: 40 Pa.C.S. § 6530 (1972).

Section 4331. Attachment of benefits

Source: 40 Pa.C.S. § 6531 (1972).

Section 4332. Notice required for agreement with beneficiary

Source: 40 Pa.C.S. § 6532 (1972).

Section 4333. Beneficiary predeceasing a member

Source: 40 Pa.C.S. § 6533 (1972).

Section 4334. Disappearance of member

Source: 40 Pa.C.S. § 6534 (1972).

Section 4335. Exemption of societies paying accident benefits only

Source: 40 Pa.C.S. § 6535 (1972).

SUBCHAPTER D. FINANCIAL MATTERS

Section 4341. Funds and investments

Source: 40 Pa.C.S. § 6541 (1972).

Comment: Subsection (d) - For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

Section 4342. Annual statement

Source: 40 Pa.C.S. § 6542 (1972).

Comment: For fee for filing annual statement, see section 612-A(3)(ii) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 4343. Valuation report

Source: 40 Pa.C.S. § 6543 (1972).

Section 4344. Accumulation and tabular bases of valuation

Source: 40 Pa.C.S. § 6544 (1972).

Section 4345. Valuation of noncancellable health and accident benefits

Source: 40 Pa.C.S. § 6545 (1972).

Comment: Subsection (d) - This provision applies to alien fraternal benefit societies based on the term "foreign" in the source provision.

SUBCHAPTER E. CONVERSION TO MUTUAL LIFE

INSURANCE COMPANY

Section 4351. Power to effect conversion

Source: 40 Pa.C.S. § 6551 (1972).

Section 4352. Proceedings before commissioner

Source: 40 Pa.C.S. § 6552 (1972).

Comment: For fee for filing and review of a plan of conversion, see section 612-A(3)(xi) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 4353. Organization of company

Source: 40 Pa.C.S. § 6553 (1972).

Section 4354. Rights and liabilities of converted societies

Source: 40 Pa.C.S. § 6554 (1972).

SUBCHAPTER F. FOREIGN SOCIETIES

Section 4361. Licensure of authorized societies

Source: 40 Pa.C.S. §§ 6561 and 6562(b) (1972).

Comment: For fee for license to society or certified copy of duplicate thereof, see section 612-A(3)(iii) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

This section applies to alien fraternal benefit societies based on the term "foreign" in the source provision.

Section 4362. Application for admission to do business

Source: 40 Pa.C.S. § 6562(a), (c) and (d) (1972).

Section 4363. Admission of certain societies

Source: 40 Pa.C.S. § 6563 (1972).

Section 4364. Acceptance of foreign examinations

Source: 40 Pa.C.S. § 6565 (1972).

Section 4365. Revocation of authority

Source: 40 Pa.C.S. § 6566 (1972).

Section 4366. Procedure before commissioner

Source: 40 Pa.C.S. § 6567 (1972).

SUBCHAPTER G. CRIMES AND PENALTIES

Section 4371. Issuing unapproved contracts or certificates

Source: 40 Pa.C.S. § 6571 (1972).

Section 4372. Failure to file annual statements

Source: 40 Pa.C.S. § 6572 (1972).

Section 4373. Misrepresentations

Source: (a) - 40 Pa.C.S. § 6573 (1972).

(b) - 40 Pa.C.S. § 6575 (1972).

Section 4374. Soliciting memberships in unlicensed society

Source: 40 Pa.C.S. § 6574 (1972).

Section 4375. Other violations of chapter

Source: 40 Pa.C.S. § 6576 (1972).

SUBCHAPTER H. REGULATION OF BENEFICIAL SOCIETIES

Section 4381. General regulation

Source: 40 Pa.C.S. § 6701 (1972).

CHAPTER 45. FRATERNAL BENEFIT SOCIETY CODE OF 1977

SUBCHAPTER A. GENERAL PROVISIONS

Comment: 15 Pa.C.S. Parts I and III do not apply to fraternal benefit societies within the scope of this chapter, insofar as they are inconsistent with this chapter. Section 905 of the act of July 29, 1977 (P.L.105, No.38), known as the Fraternal Benefit Society Code.

Section 4501. Short title of chapter

Source: Act of July 29, 1977 (P.L.105, No.38) known as the Fraternal Benefit Society Code, § 101; 40 P.S. § 1141-101.

Section 4502. Definitions

Source: Fraternal Benefit Society Code, § 102; 40 P.S. § 1141-102.

Section 4503. Exemption from general insurance law

Source: Fraternal Benefit Society Code, § 104 and 902; 40 P.S. §§ 1141-104 and 1141-902.

Comment: The first two sentences of section 902 of the act of July 29, 1977 (P.L.105, No.38), known as the Fraternal Benefit Society Code, are deleted as unnecessary in view of the similar provisions in section 104 of that act.

Section 4504. Taxation

Source: Fraternal Benefit Society Code, § 901; 40 P.S. § 1141-901.

Section 4505. Applicability of chapter

Source: Fraternal Benefit Society Code.

(a)-(e) - § 903; 40 P.S. § 1141-903.

(f) - § 905; 40 P.S. § 1141-905.

SUBCHAPTER B. ORGANIZATION AND CORPORATE OPERATIONS

Section 4511. Initial organization

Source: Fraternal Benefit Society Code, § 201; 40 P.S. § 1141-201.

Section 4512. Filing of initial papers with commissioner

Source: Fraternal Benefit Society Code, § 202; 40 P.S. § 1141-202.

Section 4513. Validity of preliminary certificate

Source: Fraternal Benefit Society Code, § 203; 40 P.S. § 1141-203.

Section 4514. Solicitation of members

Source: Fraternal Benefit Society Code, § 204; 40 P.S. § 1141-204.

Section 4515. Examination by commissioner

Source: Fraternal Benefit Society Code, § 205; 40 P.S. § 1141-205.

Section 4516. Exemption

Source: Fraternal Benefit Society Code, § 206; 40 P.S. § 1141-206.

Section 4517. Approval of documents

Source: Fraternal Benefit Society Code, § 207; 40 P.S. § 1141-207.

Section 4518. General corporate powers of societies

Source: Fraternal Benefit Society Code, § 208; 40 P.S. § 1141-208.

Section 4519. Review of orders of commissioner

Source: Fraternal Benefit Society Code, § 209; 40 P.S. § 1141-209.

Section 4520. Classes of membership

Source: Fraternal Benefit Society Code, § 210; 40 P.S. § 1141-210.

Section 4521. Prohibition of activity

Source: Fraternal Benefit Society Code, § 212(a); 40 P.S. § 1141-212(a).

Comment: Section 212(b) and (c) of the act of July 29, 1977 (P.L.105, No.38), known as the Fraternal Benefit Society Code, is omitted as transitional.

Section 4522. Location of offices and meetings

Source: Fraternal Benefit Society Code, § 213; 40 P.S. § 1141-213.

Section 4523. Consolidations and mergers

Source: Fraternal Benefit Society Code, § 214; 40 P.S. § 1141-214.

Section 4524. Amendments to articles of incorporation, constitution and bylaws

Source: Fraternal Benefit Society Code, § 215; 40 P.S. § 1141-215.

Section 4525. Institutions

Source: Fraternal Benefit Society Code, § 216; 40 P.S. § 1141-216.

Section 4526. Personal liability

Source: Fraternal Benefit Society Code, § 217; 40 P.S. § 1141-217.

Section 4527. Waiver

Source: Fraternal Benefit Society Code, § 218; 40 P.S. § 1141-218.

Section 4528. Conversion of society into mutual life insurance company

Source: Fraternal Benefit Society Code, § 219; 40 P.S. § 1141-219.

Section 4529. Reinsurance

Source: Fraternal Benefit Society Code, § 220; 40 P.S. § 1141-220.

SUBCHAPTER C. BENEFITS AND BENEFICIARIES

Section 4531. Benefits

Source: Fraternal Benefit Society Code, § 301; 40 P.S. § 1141-301.

Section 4532. Benefits on lives of children

Source: Fraternal Benefit Society Code, § 302; 40 P.S. § 1141-302.

Section 4533. Benefit options

Source: Fraternal Benefit Society Code, § 303; 40 P.S. § 1141-303.

Section 4534. Beneficiaries

Source: Fraternal Benefit Society Code, § 304; 40 P.S. § 1141-304.

Section 4535. Attachment of benefits

Source: Fraternal Benefit Society Code, § 305; 40 P.S. § 1141-305.

Section 4536. Contract for benefits

Source: Fraternal Benefit Society Code, § 306; 40 P.S. § 1141-306.

SUBCHAPTER D. CERTIFICATES

Section 4541. Approval of certificates

Source: Fraternal Benefit Society Code, § 401; 40 P.S. § 1141-401.

Section 4542. Criteria for review

Source: Fraternal Benefit Society Code.

(a) - § 402; 40 P.S. § 1141-402.

(b) - § 413; 40 P.S. § 1141-413.

Section 4543. Statement of title and premiums

Source: Fraternal Benefit Society Code, § 403; 40 P.S. § 1141-403.

Section 4544. Membership provisions

Source: Fraternal Benefit Society Code.

(a) - § 410; 40 P.S. § 1141-410.

(b) - § 404; 40 P.S. § 1141-404.

(c) - § 405; 40 P.S. § 1141-405.

(d) - § 408; 40 P.S. § 1141-408.

Section 4545. Default

Source: Fraternal Benefit Society Code, § 406; 40 P.S. § 1141-406.

Section 4546. Tables

Source: Fraternal Benefit Society Code, § 407; 40 P.S. § 1141-407.

Section 4547. Redetermination of premiums

Source: Fraternal Benefit Society Code, § 409; 40 P.S. § 1141-409.

Section 4548. Surplus

Source: Fraternal Benefit Society Code, § 411; 40 P.S. § 1141-411.

Section 4549. Loan value

Source: Fraternal Benefit Society Code, § 412; 40 P.S. § 1141-412.

SUBCHAPTER E. ACCIDENT, HEALTH AND DISABILITY

INSURANCE CONTRACTS

Section 4551. Approval of contracts by commissioner

Source: Fraternal Benefit Society Code, § 502; 40 P.S. § 1141-502.

Section 4552. Conditions for certificates

Source: Fraternal Benefit Society Code, § 503; 40 P.S. § 1141-503.

Section 4553. Standard contract provisions

Source: Fraternal Benefit Society Code, § 504; 40 P.S. § 1141-504.

Section 4554. Entire contract and changes

Source: Fraternal Benefit Society Code, § 505; 40 P.S. § 1141-505.

Section 4555. Time limits on certain defenses

Source: Fraternal Benefit Society Code, § 506; 40 P.S. § 1141-506.

Section 4556. Grace periods

Source: Fraternal Benefit Society Code, § 507; 40 P.S. § 1141-507.

Section 4557. Reinstatement

Source: Fraternal Benefit Society Code, § 508; 40 P.S. § 1141-508.

Section 4558. Claim procedure

Source: Fraternal Benefit Society Code.

(a), (b) and (c) - § 509; 40 P.S. § 1141-509.

(d) - § 510; 40 P.S. § 1141-510.

(e) - § 511; 40 P.S. § 1141-511.

(f) - § 514; 40 P.S. § 1141-514.

Section 4559. Payment of claims

Source: Fraternal Benefit Society Code.

(a) and (b) - § 513; 40 P.S. § 1141-513.

(c) - § 512; 40 P.S. § 1141-512.

Section 4560. Legal actions

Source: Fraternal Benefit Society Code, § 515; 40 P.S. § 1141-515.

Section 4561. Change of beneficiary

Source: Fraternal Benefit Society Code, § 516; 40 P.S. § 1141-516.

Section 4562. Change of occupation

Source: Fraternal Benefit Society Code, § 517; 40 P.S. § 1141-517.

Section 4563. Conduct of insured

Source: Fraternal Benefit Society Code.

(a) - § 518; 40 P.S. § 1141-518.

(b) - § 523; 40 P.S. § 1141-523.

(c) - § 526; 40 P.S. § 1141-526.

(d) - § 527; 40 P.S. § 1141-527.

Section 4564. Other insurance

Source: Fraternal Benefit Society Code.

(a) - § 519; 40 P.S. § 1141-519.

(b), (c) and (d) - § 520; 40 P.S. § 1141-520.

(e), (f) and (g) - § 521; 40 P.S. § 1141-521.

Section 4565. Relation of earnings to insurance

Source: Fraternal Benefit Society Code, § 522; 40 P.S. § 1141-522.

Section 4566. Cancellation

Source: Fraternal Benefit Society Code, § 524; 40 P.S. § 1141-524.

Section 4567. Conformity of provisions with state statutes

Source: Fraternal Benefit Society Code, § 525; 40 P.S. § 1141-525.

Section 4568. Inapplicable provisions

Source: Fraternal Benefit Society Code.

(a) - § 528; 40 P.S. § 1141-528.

(b) - § 531; 40 P.S. § 1141-531.

Comment: The first sentence of section 531 of the act of July 29, 1977 (P.L.105, No.38), known as the Fraternal Benefit Society Code, is supplied by Code § 304. The second sentence is omitted as unnecessary.

Section 4569. Composition and construction of certificates

Source: Fraternal Benefit Society Code.

(a) - § 529; 40 P.S. § 1141-529.

(b) - § 530; 40 P.S. § 1141-530.

SUBCHAPTER F. LICENSURE

Section 4571. Annual licenses for societies

Source: Fraternal Benefit Society Code, § 601; 40 P.S. § 1141-601.

Comment: Much of section 601 of the act of July 29, 1977 (P.L.105, No.38), known as the Fraternal Benefit Society Code, is omitted as transitional.

Section 4572. Fees

Source: Fraternal Benefit Society Code, § 602; 40 P.S. § 1141-602.

Comment: The specific fees listed in section 602 of the act of July 29, 1977 (P.L.105, No.38), known as the Fraternal Benefit Society Code, were superseded by section 612-A(3) of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 4573. Foreign societies

Source: Fraternal Benefit Society Code, § 603; 40 P.S. § 1141-603.

Comment: Section 603(a)(3) of the act of July 29, 1977 (P.L.105, No.38), known as the Fraternal Benefit Society Code, is omitted as unnecessary in view of the repeal of section 606.

Section 4574. Injunction, liquidation or receivership of domestic societies

Source: Fraternal Benefit Society Code, § 604; 40 P.S. § 1141-604.

Section 4575. Suspension, revocation or refusal of license to foreign societies

Source: Fraternal Benefit Society Code, § 605; 40 P.S. § 1141-605.

Section 4576. Application for injunction

Source: Fraternal Benefit Society Code, § 607; 40 P.S. § 1141-607.

Comment: The language of the source provision is modified to reflect the act of October 5, 1980 (P.L.693, No.142), § 303.

Section 4577. Licensure of fraternal insurance agents

Source: Fraternal Benefit Society Code.

(a) - § 702; 40 P.S. § 1141-702.

(b) - § 703; 40 P.S. § 1141-703.

(c) - § 704; 40 P.S. § 1141-704.

(d) - § 705; 40 P.S. § 1141-705.

(e) - § 706; 40 P.S. § 1141-706.

(f) - § 707; 40 P.S. § 1141-707.

(g) - § 708; 40 P.S. § 1141-708.

(h) - § 701; 40 P.S. § 1141-701.

SUBCHAPTER G. REGULATION OF OPERATIONS

Section 4581. Funds

Source: Fraternal Benefit Society Code, § 801; 40 P.S. § 1141-801.

Section 4582. Investments

Source: Fraternal Benefit Society Code.

(a) - § 802; 40 P.S. § 1141-802.

(b) - § 802.1; 40 P.S. § 1141-802a.

Comment: Subsection (a) - For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

Section 4583. Report of financial condition

Source: Fraternal Benefit Society Code.

(a) - § 803; 40 P.S. § 1141-803.

(b) - § 804; 40 P.S. § 1141-804.

(c) - § 805; 40 P.S. § 1141-805.

(d) - § 812; 40 P.S. § 1141-812.

Section 4584. Determination of reserves

Source: Fraternal Benefit Society Code, § 806; 40 P.S. § 1141-806.

Section 4585. Deferred payments as liability

Source: Fraternal Benefit Society Code, § 807; 40 P.S. § 1141-807.

Section 4586. Certification of valuation

Source: Fraternal Benefit Society Code, § 808; 40 P.S. § 1141-808.

Section 4587. Valuation standards

Source: Fraternal Benefit Society Code.

(a), (b) and (c) - § 809; 40 P.S. § 1141-809.

(d) - § 810; 40 P.S. § 1141-810.

Section 4588. Excess reserves

Source: Fraternal Benefit Society Code, § 811; 40 P.S. § 1141-811.

Section 4589. Examination of societies

Source: Fraternal Benefit Society Code.

(a) - § 814; 40 P.S. § 1141-814.

(b) - § 815; 40 P.S. § 1141-815.

(c) - § 816; 40 P.S. § 1141-816.

(d) - § 813; 40 P.S. § 1141-813.

Section 4590. Misrepresentations

Source: Fraternal Benefit Society Code, § 817; 40 P.S. § 1141-817.

Section 4591. Discrimination and rebates

Source: Fraternal Benefit Society Code, § 818; 40 P.S. § 1141-818.

Section 4592. Penalties

Source: Fraternal Benefit Society Code, § 904; 40 P.S. § 1141-904.

Comment: Section 904(b) of the act of July 29, 1977 (P.L.105, No.38), known as the Fraternal Benefit Society Code, is omitted as unnecessary. See 18 Pa.C.S. § 4903 (false swearing).

CHAPTER 47. MUTUAL COMPANIES

Comment: A mutual insurance company is permitted to make contributions for public or charitable purposes by action of its board of directors. See act of May 16, 1945 (P.L.594, No.249).

Section 4701. Definition

Source: New.

Section 4702. Licensing of foreign or alien companies

Source: ICL § 801; 40 P.S. § 911.

Section 4703. Investment of assets

Source: ICL § 802; 40 P.S. § 912.

Comment: For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

Section 4704. Investments in real estate

Source: ICL § 803; 40 P.S. § 913.

Section 4705. Policy provisions

Source: ICL § 804; 40 P.S. § 914.

Section 4706. Countersigning and delivery of policies

Source: ICL § 805; 40 P.S. § 915.

Section 4707. Premiums

Source: (a), (b) - ICL § 806; 40 P.S. § 916.

(c) - ICL § 806.1; 40 P.S. § 916.1.

(d) - ICL § 806.2; 40 P.S. § 916.2.

Section 4708. Reserves

Source: ICL § 807; 40 P.S. § 917.

Section 4709. Assessments

Source: ICL § 808; 40 P.S. § 918.

Section 4710. Loans to companies

Source: ICL § 809; 40 P.S. § 919.

Section 4711. Surplus

Source: ICL § 810; 40 P.S. § 920.

PART IV. SPECIAL PROVISIONS RELATING TO PARTICULAR

CLASSES OF RISK

CHAPTER 51. GENERAL PROVISIONS

[Reserved]

CHAPTER 53. LIFE INSURANCE

SUBCHAPTER A. INVESTMENTS AND CORPORATE OPERATIONS

Comment: For property held or owing by an insurer which is presumed abandoned and unclaimed in the case of life insurance, see section 1301.4(a) of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

For provisions relating to payment of proceeds of life insurance to a decedent within 60 days of death, see 20 Pa.C.S. § 3101(d).

The designation of a beneficiary under a life insurance annuity or endowment contract is not considered a testamentary transfer and is not affected by any law governing the transfer of property by will. 20 Pa.C.S. § 6108.

Section 5301. General investment provisions

Source: ICL § 406.1; 40 P.S. § 506.1.

Comment: ICL § 406.1(p) is omitted as obsolete in view of the repeal of the Federal act of October 14, 1940 (42 U.S.C.A. § 1531).

Section 5302. Investment of capital and reserves

Source: ICL § 404; 40 P.S. § 504.

Comment: The following statutes authorize persons conducting an insurance business to invest in particular investments as indicated:

A. Authorizing investment by "insurance companies, insurance associations and other persons carrying on an insurance business."

1. Act of June 12, 1931 (P.L.575, No.200), § 1, art. X (securities issued to finance the Delaware River Joint Commission).
2. Act of June 25, 1931 (P.L.1352, No.222), § 1, art. VII (securities issued to finance the Delaware River Joint Toll Bridge Commission).
3. Act of May 21, 1937 (P.L.774, No.211), § 8 (turnpike revenue bonds).
4. Act of May 16, 1940 (1st Sp.Sess., P.L.949, No.11), § 11 (turnpike revenue bonds).
5. Act of June 11, 1941 (P.L.101, No.53), § 11 (turnpike revenue bonds).
6. Act of July 16, 1941 (P.L.386, No.149), § 9 (bonds issued to finance the Rim Parkway).
7. Act of July 5, 1947 (P.L.1217, No.498), § 6 (bonds of the State Public School Building Authority).
8. Act of March 31, 1949 (P.L.372, No.34), § 5 (bonds of the General State Authority).
9. Act of May 23, 1951 (P.L.335, No.74), § 11(a) (turnpike revenue bonds).

10. Act of August 14, 1951 (P.L.1232, No.282), § 3 (turnpike revenue bonds).
11. Act of September 27, 1951 (P.L.1430, No.348), § 11(a) (turnpike revenue bonds).
12. Act of January 14, 1952 (P.L.1947, No.547), § 11(a) (turnpike revenue bonds).
13. Act of July 28, 1953 (P.L.706, No.229), § 11(a) (turnpike revenue bonds).
14. Act of June 10, 1955 (P.L.157, No.50), § 11(a) (turnpike revenue bonds).
15. Act of June 14, 1955 (P.L.174, No.52), § 11(a) (turnpike revenue bonds).
16. Act of May 15, 1956 (P.L.1589, No.534), § 11(a) (turnpike revenue bonds).
17. Act of December 3, 1959 (P.L.1688, No.621), § 507-A (securities issued by the Pennsylvania Housing Finance Agency).
18. Act of December 6, 1967 (P.L.678, No.318), § 6(b) (securities of the Pennsylvania Higher Educational Facilities Authority).
19. Act of January 22, 1968 (P.L.42, No.8), § 314 (securities of metropolitan transportation authorities).
20. Act of July 22, 1974 (P.L.598, No.206), § 14(b) (bonds of the Pennsylvania Minority Business Development Authority).

B. Authorized investments for "insurance companies and associations."

Act of May 18, 1937 (P.L.704, No.181), § 16 (bonds of limited dividend housing companies, functions of which have been transferred to the Department of Community Affairs under 1966 Reorg. Pl. No. 2 (P.L.8)).

C. Authorized investments for "insurance companies."

1. Act of July 1, 1937 (P.L.2687, No.539), § 1 (bonds of the General State Authority).

2. Act of August 6, 1963 (P.L.549, No.290) (loans guaranteed or made by the Pennsylvania Higher Education Assistance Agency).

D. Authorized investments for several types of insurance companies as listed in the statute.

1. Act of June 2, 1937 (P.L.1183, No.298), § 1 (shares of savings and loan associations).
2. Act of December 1, 1959 (P.L.1647, No.606), §§ 2(2) and 6(3) (loans to a business development credit corporation).

Section 5303. Investment of surplus and balance of reserves

Source: ICL § 405; 40 P.S. § 505.

Comment: For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

Section 5304. Acquisition and retention of subsidiaries

Source: ICL § 405.1; 40 P.S. § 505.1.

Section 5305. Authorized holdings of real estate

Source: ICL § 406; 40 P.S. § 506.

Section 5306. Capital of foreign and alien stock companies

Source: ICL § 401; 40 P.S. § 501.

Section 5307. Separate accounts

Source: ICL § 406.2(a); 40 P.S. § 506.2(a).

Section 5308. Impairment of reserve liability

Source: ICL § 408; 40 P.S. § 508.

Section 5309. Penalty

Source: ICL § 407; 40 P.S. § 507.

Section 5310. Corporations operating under prior statutes

Source: (a), (b) - ICL § 419; 40 P.S. § 551.

(a), (c) - August 14, 1963 (P.L.910, No.434) § 1; 40 P.S. § 553.

Section 5311. Dividends

Source: ICL § 421; 40 P.S. § 591.

Section 5312. Compensation

Source: ICL § 402; 40 P.S. § 502.

Section 5313. Vouchers for payment

Source: ICL § 403; 40 P.S. § 503.

SUBCHAPTER B. CONDUCT OF BUSINESS

Section 5321. Uniform policy provisions

Source: ICL § 410; 40 P.S. § 510.

Comment: Subsection (a) - The last sentence in ICL § 410(1) is transferred to paragraph (a)(3).

Section 5322. Standard nonforfeiture law for life insurance

Source: ICL § 410A; 40 P.S. § 510.1.

Comment: Subsection (b) - The penultimate sentence of ICL § 410A(a)(6) is included in the first sentence of this subsection.

Subsection (e) - the last paragraphs of ICL § 410A(d)(2) and (3) are omitted as transitional.

ICL § 410A(j) is omitted as transitional.

Section 5323. Annuity and endowment contracts

Source: ICL § 410B; 40 P.S. § 510a.

Comment: Subsection (a) - In paragraph (6)(i), the reference in ICL § 410B(f)(1) to "section three hundred and one of this act" is interpreted to mean IDL § 301.

Section 5324. Standard nonforfeiture law for individual deferred annuities

Source: ICL § 410C; 40 P.S. § 510b.

Comment: Subsection (1) is omitted as transitional.

Section 5325. Notice of right to examine policies

Source: (a), (d) - ICL § 410D; 40 P.S. § 510c.

(b), (c), (d) - ICL § 410E; 40 P.S. § 510d.

Section 5326. Policy loan interest rates

Source: ICL § 410F; 40 P.S. § 510e.

Section 5327. Prohibited policy provisions

Source: ICL § 411; 40 P.S. § 511.

Section 5328. Medical examinations

Source: ICL § 411A; 40 P.S. § 511a.

Section 5329. Insurance on the life of another person

Source: ICL § 412; 40 P.S. § 512.

Section 5330. Statements by prospective insured

Source: Act of May 21, 1937 (P.L.774, No.210), § 1; 40 P.S. § 512a.

Section 5331. Insurance proceeds

Source: (a) - ICL § 413; 40 P.S. § 513.

(b) - Act of May 17, 1919 (P.L.208, No.129), § 1; 40 P.S. § 514.

Comment: Subsection (b) - The last clause of section 1 of the act of May 17, 1919 (P.L.208, No.129), stating that the insurer is not required to segregate the funds in question, is deleted as unnecessary.

Section 5332. Variable benefits contracts

Source: ICL § 406.2(b), (c), (d), (e) and (f); 40 P.S. § 506.2(b), (c), (d), (e) and (f).

Section 5333. Certain life, health and accident companies

Source: Act of April 29, 1874 (P.L.73, No.32), § 28; 40 P.S. § 552.

Section 5334. Exchange, alteration and conversion of policies

Source: ICL § 420; 40 P.S. § 571.

Section 5335. Penalty for misrepresentation

Source: ICL § 414; 40 P.S. § 518.

SUBCHAPTER C. CONVERSION OF STOCK COMPANIES
INTO MUTUAL COMPANIES

Section 5341. Power to effect conversion

Source: Act of April 20, 1921 (P.L.175, No.103), § 1; 40 P.S. § 592.

Section 5342. Approval of plan of conversion

Source: Act of April 20, 1921 (P.L.175, No.103), § 2; 40 P.S. § 593.

Section 5343. Filing of plan

Source: Act of April 20, 1921 (P.L.175, No.103), § 3; 40 P.S. § 594.

Section 5344. Rights of dissenters

Source: Act of April 20, 1921 (P.L.175, No.103), § 3; 40 P.S. § 594.

Section 5345. Completion of conversion

Source: Act of April 20, 1921 (P.L.175, No.103), § 4; 40 P.S. § 595.

SUBCHAPTER D. MUTUAL LIFE INSURANCE COMPANIES

Comment: A mutual insurance company is permitted to make contributions for public or charitable purposes by action of its board of directors. See act of May 16, 1945 (P.L.594, No.249).

Section 5351. Foreign and alien companies

Source: ICL § 401; 40 P.S. § 501.

Section 5352. Guarantee capital subscriptions

Source: (a) - ICL § 426; 40 P.S. § 611.

(b) - ICL § 427; 40 P.S. § 612.

(c) - ICL § 428; 40 P.S. § 613.

Section 5353. Surplus or safety fund

Source: ICL § 429; 40 P.S. § 614.

SUBCHAPTER E. GROUP INSURANCE

Section 5361. Authorized types of group insurance

Source: Act of May 11, 1949 (P.L.1210, No.367), known as the Group Life Insurance Policy Law, § 1(1)-(6); 40 P.S. § 532.1(1)-(6).

Section 5362. Coverage of spouse and children

Source: Group Life Insurance Policy Law, § 1(7); 40 P.S. § 532.1(7).

Section 5363. Policies issued to employers or trustees

Source: Group Life Insurance Policy Law, § 2; 40 P.S. § 532.2.

Section 5364. Policies issued to trustees of joint funds

Source: Group Life Insurance Policy Law, § 5; 40 P.S. § 532.5.

Section 5365. Policies issued to creditors

Source: Group Life Insurance Policy Law, § 3; 40 P.S. § 532.3.

Section 5366. Policies issued to employee organizations

Source: Group Life Insurance Policy Law, § 4; 40 P.S. § 532.4.

Section 5367. Standard policy provisions

Source: Group Life Insurance Policy Law, § 6; 40 P.S. § 532.6.

Section 5368. Notice of conversion privileges

Source: Group Life Insurance Policy Law, § 7; 40 P.S. § 532.7.

Section 5369. Assignment of incidents of ownership

Source: Group Life Insurance Policy Law, § 7.1; 40 P.S. § 532.7a.

Section 5370. Existing policies

Source: Group Life Insurance Policy Law, § 8; 40 P.S. § 532.8.

Section 5371. Basis of premiums

Source: Group Life Insurance Policy Law, § 9; 40 P.S. § 532.9.

Section 5372. Voting power of employers

Source: ICL § 417; 40 P.S. § 533.

Section 5373. Insurance for public employees

Source: Act of June 22, 1931 (P.L.844, No.274), §§ 1 and 2;
40 P.S. §§ 535 and 536.

Comment: For provisions regarding conversion by public employees from other medical insurance coverage to coverage applicable to public employees, see 24 Pa.C.S. § 8505(i) (public school employees) and 71 Pa.C.S. §§ 5905(h) and 5906(j) (state employees).

Section 5374. Payment of public employee group premiums

Source: Act of July 19, 1951 (P.L.1074, No.231).

(a) - §§ 1 and 2; 40 P.S. §§ 539 and 540,

(b) - § 2; 40 P.S. § 540.

(c) - § 3; 40 P.S. § 541.

(d) - § 4; 40 P.S. § 542.

SUBCHAPTER F. INDUSTRIAL INSURANCE

Section 5381. Definition

Source: ICL § 420B; 40 P.S. § 573.

Section 5382. Uniform policy provisions

Source: ICL §§ 420B and 420C; 40 P.S. §§ 573 and 574.

Comment: The last sentence of ICL § 420C appears in paragraph (3).

Section 5383. Prohibited policy provisions

Source: ICL § 420D; 40 P.S. § 575.

Section 5384. Notice of right to examine policies

Source: ICL § 420E; 40 P.S. § 576.

SUBCHAPTER G. LIMITED LIFE INSURANCE COMPANIES

Section 5391. Definition

Source: Act of June 24, 1939 (P.L.685, No.319), § 1; 40 P.S. § 621.1.

Section 5392. Powers of limited life insurance companies

Source: (a)-(c) - Act of June 24, 1939 (P.L.685, No.319), § 2; 40 P.S. § 621.2.

(d) - Act of December 30, 1959 (P.L.2095, No.774), § 1; 40 P.S. § 621.3.

Section 5393. Reincorporation as limited life insurance company

Source: Act of June 28, 1951 (P.L.941, No.184), § 1; 40 P.S. § 623.1.

Section 5394. Procedure for reincorporation

Source: Act of June 28, 1951 (P.L.941, No.184), § 2; 40 P.S. § 623.2.

Section 5395. Authorization to do business

Source: Act of June 28, 1951 (P.L.941, No.184), § 2; 40 P.S. § 623.2.

Section 5396. Reserves and capital stock requirements

Source: Act of June 28, 1951 (P.L.941, No.184).

(a) - § 3; 40 P.S. § 623.3.

(b) - § 4; 40 P.S. § 623.4.

(c) - § 6; 40 P.S. § 623.6.

Section 5397. Election of directors

Source: Act of June 28, 1951 (P.L.941, No.184), § 5; 40 P.S. § 623.5.

CHAPTER 55. PROPERTY AND CASUALTY INSURANCE

SUBCHAPTER A. GENERAL REGULATION

Comment: For provisions regarding casualty insurance in connection with the installment sale of a motor vehicle, see section 17 of the act of June 28, 1947 (P.L.1110, No.476), known as the Motor Vehicle Sales Finance Act.

For provisions relating to insurance against property damage resulting from coal or clay mine subsidence, see act of August 23, 1961 (P.L.1068, No.484).

For provisions relating to insurance on common elements and units exclusive of improvements and betterments in condominiums, see 68 Pa.C.S. § 3312.

For provisions relating to insurance on aircraft, see 74 Pa.C.S. § 5503(d) and (e).

Section 5501. Applicability of chapter

Source: (a) - ICL § 609; 40 P.S. § 729.

(b) - ICL § 608; 40 P.S. § 728.

Section 5502. Financial requirements of foreign or alien companies

Source: (a) - ICL § 601; 40 P.S. § 721.

(b) - ICL § 675; 40 P.S. § 871.

Section 5503. Investment of capital

Source: ICL § 602(a)-(n); 40 P.S. § 722(a)-(n).

Comment: For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

Section 5504. Investments in financial institutions

Source: ICL § 602(o), (p); 40 P.S. § 722(o), (p).

Section 5505. Investment of surplus

Source: ICL § 603; 40 P.S. § 723.

Comment: For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

Section 5506. Authorized holdings of real estate

Source: ICL § 604; 40 P.S. § 724.

Section 5507. Dividends

Source: ICL § 605; 40 P.S. § 725.

Section 5508. Reduction and withdrawal of capital stock

Source: ICL § 606; 40 P.S. § 726.

Section 5509. Procedure when capital impaired

Source: ICL § 607; 40 P.S. § 727.

Section 5510. Resident agents for foreign or alien insurance entities

Source: ICL § 610; 40 P.S. § 730.

SUBCHAPTER B. WORKMEN'S COMPENSATION INSURANCE

Section 5521. Policy provisions

Source: (a) - ICL § 651; 40 P.S. § 811.

(b) - ICL § 653; 40 P.S. § 813.

Section 5522. Actions for premiums

Source: ICL § 652; 40 P.S. § 812.

Section 5523. Rating plans

Source: ICL § 654; 40 P.S. § 814.

Section 5524. Annual report of premiums and loss experience

Source: ICL § 655; 40 P.S. § 815.

SUBCHAPTER C. EMPLOYERS' MUTUAL LIABILITY

INSURANCE ASSOCIATIONS

Section 5531. Definitions

Source: "Association." ICL § 636; 40 P.S. § 781.

"Board of directors." New.

"Subscriber." New.

Section 5532. Examination of premises and books

Source: ICL § 637; 40 P.S. § 782.

Section 5533. Rules and regulations

Source: ICL § 638; 40 P.S. § 783.

Section 5534. Premiums

Source: ICL § 639; 40 P.S. § 784.

Section 5535. Division of subscribers into groups

Source: ICL § 640; 40 P.S. § 785.

Section 5536. Powers of commissioner

Source: ICL § 641; 40 P.S. § 786.

Section 5537. Dividends

Source: ICL § 642; 40 P.S. § 787.

Section 5538. Surplus

Source: ICL § 643; 40 P.S. § 788.

Section 5539. Contingent mutual liability of subscribers

Source: ICL § 644; 40 P.S. § 789.

Section 5540. Assessments

Source: ICL § 645; 40 P.S. § 790.

Section 5541. Withdrawal of subscribers

Source: ICL § 646; 40 P.S. § 791.

SUBCHAPTER D. ARSON REPORTING IMMUNITY

Section 5551. Short title of subchapter

Source: Act of July 2, 1980 (P.L.340, No.85), known as the Arson Reporting Immunity Act, § 1; 40 P.S. § 1610.1.

Section 5552. Definitions

Source: Arson Reporting Immunity Act, § 2; 40 P.S. § 1610.2.

Section 5553. Disclosure of information

Source: Arson Reporting Immunity Act, § 3; 40 P.S. § 1610.3.

Section 5554. Immunity

Source: Arson Reporting Immunity Act, § 4; 40 P.S. § 1610.4.

Section 5555. Evidence

Source: Arson Reporting Immunity Act, § 5; 40 P.S. § 1610.5.

Section 5556. Penalty

Source: Arson Reporting Immunity Act, § 6; 40 P.S. § 1610.6.

Section 5557. Construction of subchapter

Source: Arson Reporting Immunity Act, § 7; 40 P.S. § 1610.7.

Comment: See section 2 of the act of April 27, 1927 (P.L.450, No.291), for additional reporting requirements in the case of fires resulting in property damage or injury to determine whether the fire was of incendiary origin.

Section 5558. Regulations

Source: Arson Reporting Immunity Act, § 8; 40 P.S. § 1610.8.

SUBCHAPTER E. ANTI-ARSON APPLICATIONS

Section 5561. Short title of subchapter

Source: Act of December 7, 1982 (P.L.815, No.228), known as the Anti-Arson Application Law, § 1; 40 P.S. § 1615.1.

Section 5562. Purpose of subchapter

Source: Anti-Arson Application Law, § 2; 40 P.S. § 1615.2.

Section 5563. Definitions

Source: Anti-Arson Application Law, § 3; 40 P.S. § 1615.3.

Section 5564. Applicability of subchapter

Source: Anti-Arson Application Law, § 4; 40 P.S. § 1615.4.

Section 5565. Form of anti-arson applications

Source: Anti-Arson Application Law.

(a), (b), (d) - § 5; 40 P.S. § 1615.5.

(c) - § 7(a), 40 P.S. § 1615.7(a).

Section 5566. Insurability

Source: Anti-Arson Application Law, § 6; 40 P.S. § 1615.6.

Section 5567. Requirement and effect of anti-arson applications

Source: Anti-Arson Application Law, § 7; 40 P.S. § 1615.7.

Section 5568. Alternative anti-arson applications

Source: Anti-Arson Application Law, § 8; 40 P.S. § 1615.8.

Comment: Section 8(a) of the act of December 7, 1982, known as the Anti-Arson Application Law, is omitted as unnecessary.

Section 5569. Termination of insurance policies or contracts

Source: Anti-Arson Application Law, § 9; 40 P.S. § 1615.9.

Comment: The proviso at the end of section 9 of the act of December 7, 1982 (P.L.812, No.228), known as the Anti-Arson Application Law, is omitted as unnecessary.

Section 5570. Penalties

Source: Anti-Arson Application Law, § 10; 40 P.S. § 1615.10.

Section 5571. Advisory board

Source: Anti-Arson Application Law, § 11; 40 P.S. § 1615.11.

Comment: Section 11(a) of the act of December 11, 1982 (P.L.815, No.228), known as the Anti-Arson Application Law, is supplied by Code § 304.

SUBCHAPTER F. MISCELLANEOUS PROVISIONS

Section 5581. Companies providing boiler insurance

Source: ICL § 671; 40 P.S. § 851.

Section 5582. Boiler insurance in cities of the first class

Source: Act of March 11, 1891 (P.L.5, No.3).

(a) - § 1; 40 P.S. § 852.

(b)-(k) - § 2; 40 P.S. §§ 853-859.

(j) - § 3; 40 P.S. § 860.

Section 5583. Insurance consultation services exemption

Source: Act of December 12, 1980 (P.L.1177, No.218), known as the Insurance Consultation Services Exemption Act.

(a) - § 1; 40 P.S. § 1841.

(b) - § 3(a); 40 P.S. § 1843(a).

(c) - §§ 3(b) and (c) and 4(b); 40 P.S. §§ 1843(b) and (c) and 1844(b).

(d) - §§ 2 and 4(a); 40 P.S. §§ 1842 and 1844(a).

CHAPTER 57. PENNSYLVANIA FAIR PLAN

SUBCHAPTER A. GENERAL PROVISIONS

Section 5701. Short title of chapter

Source: Act of July 31, 1968 (P.L.738, No.233), known as The Pennsylvania Fair Plan Act, § 101; 40 P.S. § 1600.101.

Section 5702. Purposes of chapter

Source: The Pennsylvania Fair Plan Act, § 102; 40 P.S. § 1600.102.

Section 5703. Definitions

Source: The Pennsylvania Fair Plan Act, § 103; 40 P.S. § 1600.103.

SUBCHAPTER B. STRUCTURE OF FAIR PLAN

Section 5711. Industry placement facility

Source: The Pennsylvania Fair Plan Act.

(a)-(f) - § 201; 40 P.S. § 1600.201.

(g) - § 502(b)(1); 40 P.S. § 1600.502(b)(1).

Section 5712. Fair plan

Source: The Pennsylvania Fair Plan Act, § 202; 40 P.S. § 1600.202.

Section 5713. Distribution of risks

Source: The Pennsylvania Fair Plan Act, § 203; 40 P.S. § 1600.203.

Section 5714. Uninsurable risks

Source: The Pennsylvania Fair Plan Act, § 204; 40 P.S. § 1600.204.

Section 5715. Regulation by commissioner

Source: The Pennsylvania Fair Plan Act, § 205; 40 P.S. § 1600.205.

Comment: Section 205(a) of the act of July 31, 1968 (P.L.738, No.233), known as The Pennsylvania Fair Plan Act, is supplied by Code § 304.

Section 5716. Annual and other statements

Source: The Pennsylvania Fair Plan Act, § 206; 40 P.S. § 1600.206.

Section 5717. Privileged communications

Source: The Pennsylvania Fair Plan Act, § 207; 40 P.S. § 1600.207.

Section 5718. Review

Source: The Pennsylvania Fair Plan Act, § 208; 40 P.S. § 1600.208.

SUBCHAPTER C. PENNSYLVANIA CIVIL DISORDER AUTHORITY

Section 5721. Formation of authority

Source: The Pennsylvania Fair Plan Act, §§ 301 and 502 (b)(2);
40 P.S. §§ 1600.301 and 1600.502(b)(2).

Section 5722. Board of directors.

Source: The Pennsylvania Fair Plan Act, § 302; 40 P.S. § 1600.302.

Section 5723. Powers of authority

Source: The Pennsylvania Fair Plan Act, § 303; 40 P.S. § 1600.303.

Section 5724. Civil Disorder Authority Fund

Source: The Pennsylvania Fair Plan Act, § 304; 40 P.S. § 1600.304.

Section 5725. Reimbursement payments to Federal reinsurance facility

Source: The Pennsylvania Fair Plan Act, § 305; 40 P.S. § 1600.305.

Section 5726. Bonds of authority

Source: The Pennsylvania Fair Plan Act, § 306; 40 P.S. § 1600.306.

Section 5727. Remedies of bondholder

Source: The Pennsylvania Fair Plan Act, § 307; 40 P.S. § 1600.307.

SUBCHAPTER D. BASIC PROPERTY INSURANCE ASSESSMENT

Section 5731. Levy and amount of assessment

Source: The Pennsylvania Fair Plan Act, § 401; 40 P.S. § 1600.401.

Section 5732. Payments to Pennsylvania Civil Disorder Authority

Source: The Pennsylvania Fair Plan Act, § 402; 40 P.S. § 1600.402.

Section 5733. Reports and statements

Source: The Pennsylvania Fair Plan Act, § 403; 40 P.S. § 1600.403.

Section 5734. Duration of assessment

Source: The Pennsylvania Fair Plan Act, §§ 404 and 405; 40 P.S. §§ 1600.404 and 405.

CHAPTER 59. FIRE AND MARINE INSURANCE

SUBCHAPTER A. INSURERS GENERALLY

Section 5901. Resident agents for foreign or alien insurance entities

Source: ICL § 501; 40 P.S. § 631.

Comment: Mutual companies are included in this section because they were included in ICL § 504.

Subsection (a) - For tax on gross premiums received by insurance companies, see §§ 901-904 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

Section 5902. Examination of foreign or alien entities by commissioner

Source: ICL § 502; 40 P.S. § 632.

Section 5903. Annual returns

Source: ICL § 503; 40 P.S. § 633.

Section 5904. Penalties and revocation of license

Source: ICL § 504; 40 P.S. § 634.

Section 5905. Reports of fires to Bureau of Fire Protection

Source: ICL § 505; 40 P.S. § 635.

Section 5906. Provisions of fire insurance policies

Source: ICL § 506; 40 P.S. § 636.

Comment: Paragraph 7 of ICL § 506 is omitted as transitional.

Section 5907. Penalties for issuing other than standard fire policies

Source: ICL § 507; 40 P.S. § 637.

SUBCHAPTER B. STOCK COMPANIES

Section 5921. Capital of foreign or alien companies

Source: ICL § 516; 40 P.S. § 651.

Section 5922. Authorized investment of capital

Source: ICL § 517; 40 P.S. § 652.

Comment: ICL § 517(a) - (p) are omitted as duplicative of the classes mentioned in ICL § 602(a) - (p). For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

Section 5923. Investment of surplus

Source: ICL § 518 (1st para.); 40 P.S. § 653 (1st para.).

Comment: For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

Section 5924. Treasury stock

Source: ICL § 518 (2nd para.); 40 P.S. § 653 (2nd para.).

Section 5925. Estimation of surplus for dividends

Source: ICL § 518A; 40 P.S. § 653a.

Section 5926. Authorized holdings of real estate

Source: ICL § 519; 40 P.S. § 654.

Comment: ICL § 519(a) - (c) are omitted as duplicative of ICL § 604.

Section 5927. Procedure when capital impaired

Source: ICL § 520; 40 P.S. § 655.

Comment: Much of ICL § 520 is omitted as duplicative of ICL § 607.

SUBCHAPTER C. MUTUAL COMPANIES

Section 5931. Licensing of foreign mutual companies

Source: ICL § 531; 40 P.S. § 671.

Section 5932. Rechartering of companies

Source: ICL § 532; 40 P.S. § 672.

Section 5933. Cash premium policies

Source: Act of May 25, 1921 (P.L.1124, No.419), § 1; 40 P.S. § 675.

Section 5934. Cash premiums

Source: Act of May 25, 1921 (P.L.1124, No.419), § 2; 40 P.S. § 676.

Section 5935. Surplus

Source: Act of May 25, 1921 (P.L.1124, No.419), § 3; 40 P.S. § 677.

CHAPTER 61. ELIGIBILITY FOR MOTOR VEHICLE INSURANCE

Comment: Provisions in an insurance policy which deny coverage for any motor vehicle used for commercial purposes or as a public or livery conveyance do not apply to a vehicle used in a ridesharing arrangement. Section 5(a) of the act of December 14, 1982 (P.L.1211, No.279). Section 11(b) of the act of June 5, 1968 (P.L.140, No.78), is supplied by 1 Pa.C.S. § 1925.

Section 6101. Definitions

Source: Act of June 5, 1968 (P.L.140, No.78) § 1; 40 P.S. § 1008.1.

Section 6102. General provisions

Source: Act of June 5, 1968 (P.L.140, No.78).

(a) - § 1(2); 40 P.S. § 1008.1(2).

(b) - § 2; 40 P.S. § 1008.2.

Section 6103. Insufficient grounds for failure to insure

Source: Act of June 5, 1968 (P.L.140, No.78) § 3; 40 P.S. § 1008.3.

Comment: Section 3(h) is supplied by Code § 304.

Section 6104. Grounds for cancellation

Source: Act of June 5, 1968 (P.L.140, No.78) § 4; 40 P.S. § 1008.4.

Section 6105. Premium increase or surcharge

Source: Act of June 5, 1968 (P.L.140, No.78) § 4.1; 40 P.S. § 1008.4.1.

Section 6106. Notice of refusal

Source: Act of June 5, 1968 (P.L.140, No.78) § 5; 40 P.S. § 1008.5.

Section 6107. Exclusions

Source: Act of June 5, 1968 (P.L.140, No.78) §§ 1(1) and 6; 40 P.S. §§ 1008.1(1) and 1008.6.

Section 6108. Information regarding refusal to insure

Source: Act of June 5, 1968 (P.L.140, No.78).

(a), (b) - § 7; 40 P.S. § 1008.7.

(c) - § 11(c); 40 P.S. § 1008.11(c).

Section 6109. Request for review

Source: Act of June 5, 1968 (P.L.140, No.78) § 8; 40 P.S. § 1008.8.

Section 6110. Review procedure

Source: Act of June 5, 1968 (P.L.140, No.78).

(a), (b) and (c) - § 9; 40 P.S. § 1008.9.

(d) - § 10(a); 40 P.S. § 1008.10(a).

Section 6111. Powers of commissioner

Source: Act of June 5, 1968 (P.L.140, No.78) § 10; 40 P.S. § 1008.10.

Section 6112. Penalty

Source: Act of June 5, 1968 (P.L.140, No.78) § 11(a); 40 P.S. § 1008.11(a).

CHAPTER 63. MOTOR VEHICLE FINANCIAL RESPONSIBILITY

SUBCHAPTER A. GENERAL PROVISIONS

Comment: The Department of Transportation is required to disclose from the accident report whether any person or vehicle was covered by a vehicle insurance policy and the name of the insurer. 75 Pa.C.S. § 3747(e).

Section 6301. Short title of chapter

Source: 75 Pa.C.S. § 1701 (1984). Act of February 12, 1984 (P.L.26, No.11), known as the Motor Vehicle Financial Responsibility Law; 75 Pa.C.S. §§ 1701-1798.

Section 6302. Definitions

Source: 75 Pa.C.S. § 1702 (1984).

Comment: The definition of "department" is omitted as possibly confusing. In this chapter, as elsewhere in this Code, references in source provisions to the Insurance Department are changed to refer to the commissioner. References in the source provisions to the Department of Transportation are made to the department.

Section 6303. Applicability of chapter

Source: 75 Pa.C.S. § 1703 (1984).

Section 6304. Administration of chapter

Source: 75 Pa.C.S. § 1704 (1984).

SUBCHAPTER B. MOTOR VEHICLE LIABILITY INSURANCE

FIRST PARTY BENEFITS

Comment: The Department of Transportation is required to disclose from the accident report whether any person or vehicle was covered by a vehicle insurance policy and the name of the insurer.
75 Pa.C.S. § 3747(e).

Section 6311. Required benefits

Source: 75 Pa.C.S. § 1711 (1984).

Section 6312. Availability of benefits

Source: 75 Pa.C.S. § 1712 (1984).

Comment: Provisions in an insurance policy which deny coverage for any motor vehicle used for commercial purposes or as a public or livery conveyance do not apply to a vehicle used in a ridesharing arrangement. Section 5(a) of the act of December 14, 1982 (P.L.1211, No.279).

Section 6313. Source of benefits

Source: 75 Pa.C.S. § 1713 (1984).

Section 6314. Ineligible claimants

Source: 75 Pa.C.S. § 1714 (1984).

Section 6315. Availability of adequate limits

Source: 75 Pa.C.S. § 1715 (1984).

Section 6316. Payment of benefits

Source: 75 Pa.C.S. § 1716 (1984).

Section 6317. Stacking of benefits

Source: 75 Pa.C.S. § 1717 (1984).

Section 6318. Exclusion from benefits

Source: 75 Pa.C.S. § 1718 (1984).

Comment: Provisions in an insurance policy which deny coverage for any motor vehicle used for commercial purposes or as a public or livery conveyance do not apply to a vehicle used in a ridesharing arrangement. Section 5(a) of the act of December 14, 1982 (P.L.1211, No.279).

Section 6319. Coordination of benefits

Source: 75 Pa.C.S. § 1719 (1984).

Section 6320. Subrogation

Source: 75 Pa.C.S. § 1720 (1984).

Section 6321. Statute of limitations

Source: 75 Pa.C.S. § 1721 (1984).

Section 6322. Preclusion of recovering required benefits

Source: 75 Pa.C.S. § 1722 (1984).

Section 6323. Reporting requirements

Source: 75 Pa.C.S. § 1723 (1984).

SUBCHAPTER C. UNINSURED AND UNDERINSURED MOTORIST COVERAGE

Section 6331. Scope and amount of coverage

Source: 75 Pa.C.S. § 1731 (1984).

Section 6332. Limits of coverage

Source: 75 Pa.C.S. § 1732 (1984).

Section 6333. Priority of recovery

Source: 75 Pa.C.S. § 1733 (1984).

Section 6334. Request for lower or higher limits of coverage

Source: 75 Pa.C.S. § 1734 (1984).

Section 6335. Workmen's compensation benefits

Source: 75 Pa.C.S. § 1735 (1984).

Section 6336. Coverage in excess of required amounts

Source: 75 Pa.C.S. § 1736 (1984).

SUBCHAPTER D. ASSIGNED RISK PLAN

Section 6341. Establishment of assigned risk plan

Source: 75 Pa.C.S. § 1741 (1984).

Section 6342. Scope of assigned risk plan

Source: 75 Pa.C.S. § 1742 (1984).

Section 6343. Rates

Source: 75 Pa.C.S. § 1743 (1984).

Comment: See Hartford Accident and Indemnity Co. v. Insurance Commissioner, 65 Pa. Commonwealth Ct. 249, aff'd, 505 Pa. 571 (1984) for prohibition of gender-based automobile insurance rates as "unfairly discriminatory."

Section 6344. Termination of policies

Source: 75 Pa.C.S. § 1744 (1984).

SUBCHAPTER E. ASSIGNED CLAIMS PLAN

Section 6351. Organization of assigned claims

Source: 75 Pa.C.S. § 1751 (1984).

Section 6352. Eligible claimants

Source: 75 Pa.C.S. § 1752 (1984).

Section 6353. Benefits available

Source: 75 Pa.C.S. § 1753 (1984).

Section 6354. Additional coverage

Source: 75 Pa.C.S. § 1754 (1984).

Section 6355. Coordination of benefits

Source: 75 Pa.C.S. § 1755 (1984).

Section 6356. Subrogation

Source: 75 Pa.C.S. § 1756 (1984).

Section 6357. Statute of limitations

Source: 75 Pa.C.S. § 1757 (1984).

SUBCHAPTER F. CATASTROPHIC LOSS TRUST FUND

Section 6361. Definitions

Source: 75 Pa.C.S. § 1761 (1984).

Comment: "Eligible claimant." The last sentence of the definition of "eligible claimant" of 75 Pa.C.S. § 1761 is omitted as transitional.

Section 6362. Funding

Source: 75 Pa.C.S. § 1762 (1984).

Section 6363. Enforcement

Source: 75 Pa.C.S. § 1763 (1984).

Section 6364. Catastrophic Loss Trust Fund

Source: 75 Pa.C.S. § 1764 (1984).

Section 6365. Catastrophic Loss Trust Fund Board

Source: 75 Pa.C.S. § 1765 (1984).

Section 6366. Benefits

Source: 75 Pa.C.S. § 1766 (1984).

Section 6367. Annual reports

Source: 75 Pa.C.S. § 1767 (1984).

Section 6368. Appeals

Source: 75 Pa.C.S. § 1768 (1984).

Section 6369. Miscellaneous provisions

Source: (a) - 75 Pa.C.S. § 1769 (1984).

(b) - Act of February 12, 1984 (P.L.26, No.11), § 7(b); 75 Pa.C.S. §§ 1701 note, 1761 note.

SUBCHAPTER G. NONPAYMENT OF JUDGMENTS

Section 6371. Court reports on nonpayment of judgments

Source: 75 Pa.C.S. § 1771 (1984).

Section 6372. Suspension for nonpayment of judgments

Source: 75 Pa.C.S. § 1772 (1984).

Section 6373. Duration of suspension

Source: 75 Pa.C.S. § 1773 (1984).

Section 6374. Satisfaction of judgments

Source: 75 Pa.C.S. § 1774 (1984).

Section 6375. Installment payment of judgments

Source: 75 Pa.C.S. § 1775 (1984).

SUBCHAPTER H. PROOF OF FINANCIAL RESPONSIBILITY

Comment: A person is guilty of a misdemeanor of the first degree if, with fraudulent intent, he alters, forges or counterfeits a proof of insurance, or has possession of, sells or attempts to sell, uses or displays a proof of insurance issued by the Department of Transportation, knowing it to have been altered, forged or counterfeited. 75 Pa.C.S. § 7122.

Section 6381. Notice of sanction for not evidencing financial responsibility

Source: 75 Pa.C.S. § 1781 (1984).

Section 6382. Manner of providing proof of financial responsibility

Source: 75 Pa.C.S. § 1782 (1984).

Section 6383. Proof of financial responsibility before restoring
operating privilege or registration

Source: 75 Pa.C.S. § 1783 (1984).

Section 6384. Proof of financial responsibility following violation

Source: 75 Pa.C.S. § 1784 (1984).

Section 6385. Proof of financial responsibility following accident

Source: 75 Pa.C.S. § 1785 (1984).

Section 6386. Self-certification of financial responsibility

Source: 75 Pa.C.S. § 1786 (1984).

Section 6387. Self-insurance

Source: 75 Pa.C.S. § 1787 (1984).

SUBCHAPTER I. MISCELLANEOUS PROVISIONS

Section 6391. Notice of available benefits and limits

Source: 75 Pa.C.S. § 1791 (1984).

Section 6392. Availability of certain coverage

Source: 75 Pa.C.S. § 1792 (1984).

Section 6393. Premiums

Source: 75 Pa.C.S. § 1793 (1984).

Section 6394. Jurisdictional limit on judicial arbitration

Source: 75 Pa.C.S. § 1794 (1984).

Section 6395. Insurance fraud reporting immunity

Source: 75 Pa.C.S. § 1795 (1984).

Section 6396. Mental or physical examinations

Source: 75 Pa.C.S. § 1796 (1984).

Section 6397. Customary charges for treatment

Source: 75 Pa.C.S. § 1797 (1984).

Section 6398. Attorney fees and costs

Source: 75 Pa.C.S. § 1798 (1984).

CHAPTER 65. CREDIT INSURANCE

Section 6501. General provisions

Source: Act of September 2, 1961 (P.L.1232, No.540), known as the Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance.

(a), (d) - § 2(a); 40 P.S. § 1007.2(a).

(b), (c) - § 1; 40 P.S. § 1007.1.

Section 6502. Definitions

Source: Act of September 2, 1961 (P.L.1232, No.540), § 2(b); 40 P.S. § 1007.2(b).

"Credit insurance" - New.

Section 6503. Forms

Source: Act of September 2, 1961 (P.L.1232, No.540), § 3; 40 P.S. § 1007.3.

Section 6504. Amount of insurance

Source: Act of September 2, 1961 (P.L.1232, No.540), § 4; 40 P.S. § 1007.4.

Section 6505. Term of insurance

Source: Act of September 2, 1961 (P.L.1232, No.540), § 5; 40 P.S. § 1007.5.

Section 6506. Disclosure to debtors

Source: Act of September 2, 1961 (P.L.1232, No.540), § 6; 40 P.S. § 1007.6.

Section 6507. Review of forms and premium rates

Source: Act of September 2, 1961 (P.L.1232, No.540), § 7; 40 P.S. § 1007.7.

Section 6508. Premiums and refunds

Source: Act of September 2, 1961 (P.L.1232, No.540), § 8; 40 P.S. § 1007.8.

Comment: The proviso at the end of section 8 of the act of September 2, 1961 (P.L.1232, No.540), is omitted as transitional.

Section 6509. Issuance of policies

Source: Act of September 2, 1961 (P.L.1232, No.540), § 9; 40 P.S. § 1007.9.

Section 6510. Claims

Source: Act of September 2, 1961 (P.L.1232, No.540), § 10; 40 P.S. § 1007.10.

Comment: Section 10(a) of the act of September 2, 1961 (P.L.1232, No.540), is omitted as unnecessary.

Section 6511. Choice of insurer

Source: Act of September 2, 1961 (P.L.1232, No.540), § 11; 40 P.S. § 1007.11.

Comment: See also 18 Pa.C.S. § 7309 (unlawful coercion in contracting insurance).

Section 6512. Enforcement

Source: Act of September 2, 1961 (P.L.1232, No.540), § 12; 40 P.S. § 1007.12.

Comment: The first sentence of section 12 of the act of September 2, 1961 (P.L.1232, No.540) is supplied by Code § 304. The last sentence of section 12 is omitted as transitional.

Section 6513. Judicial review

Source: Act of September 2, 1961 (P.L.1232, No.540), § 13; 40 P.S. § 1007.13.

Section 6514. Penalties

Source: Act of September 2, 1961 (P.L.1232, No.540), § 14; 40 P.S. § 1007.14.

CHAPTER 67. TITLE INSURANCE

Comment: For insurance requirements upon conveyances of condominium units, see 68 Pa.C.S. § 3409.

SUBCHAPTER A. GENERAL PROVISIONS

Section 6701. Definitions

Source: ICL § 701; 40 P.S. § 910-1.

Comment: "Title insurance company." Corporations subject to the supervision of the Department of Banking which also engage in a title insurance or mortgage guarantee business, or in any other business subject to the commissioner's supervision are not subject to the Department of Banking's supervision as to the branch of

business supervised by the commissioner. Section 201 of the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking Code.

Certain institutions operating under the act of November 30, 1965 (P.L.847, No.356), known as the Banking Code of 1965, are permitted under § 406 of that act to insure titles to, liens on and other interests in real estate.

Section 6702. Applicability of chapter

Source: ICL § 702; 40 P.S. § 910-2.

Section 6703. Applicability of other provisions of title

Source: ICL § 754; 40 P.S. § 910-54.

SUBCHAPTER B. BUSINESS OPERATIONS

Section 6711. Powers of title insurance companies

Source: ICL §§ 703 and 713; 40 P.S. §§ 910-3 and 910-13.

Section 6712. Corporate form

Source: ICL § 704; 40 P.S. § 910-4.

Section 6713. Title examinations and records

Source: ICL § 707; 40 P.S. § 910-7.

Section 6714. Prohibition of guaranteeing mortgages

Source: ICL § 709; 40 P.S. § 910-9.

Section 6715. Loss of power to transact title insurance

Source: (a) - ICL § 710(b); 40 P.S. § 910-10(b).

(b) - ICL § 711; 40 P.S. § 910-11.

(c) - ICL § 712; 40 P.S. § 910-12.

Comment: ICL § 710(a) and part of the first sentence of ICL §§ 711 and 712 are omitted as transitional.

Section 6716. Primary retained liability

Source: ICL § 719; 40 P.S. § 910-19.

Section 6717. Power to reinsure

Source: ICL § 720; 40 P.S. § 910-20.

Section 6718. Special reinsurance

Source: ICL § 721; 40 P.S. § 910-21.

Section 6719. Licensure of foreign or alien insurers

Source: ICL § 722; 40 P.S. § 910-22.

Section 6720. Resident agents for foreign or alien insurers

Source: ICL § 723; 40 P.S. § 910-23.

Comment: The word "foreign" in ICL § 723 is interpreted to include alien companies, in pari materia with ICL § 722.

Section 6721. Regulation of agents

Source: (a) - ICL § 724; 40 P.S. § 910-24.

(b) - ICL § 725; 40 P.S. § 910-25.

(c) - ICL § 726; 40 P.S. § 910-26.

(d) - ICL § 727; 40 P.S. § 910-27.

(e) - ICL § 728; 40 P.S. § 910-28.

(f) - ICL § 729; 40 P.S. § 910-29.

(g) - ICL § 724; 40 P.S. § 910-24.

Section 6722. Commissions

Source: (a) - ICL § 730; 40 P.S. § 910-30.

(b) - ICL § 731; 40 P.S. § 910-31.

Section 6723. Mergers and consolidations

Source: ICL § 751; 40 P.S. § 910-51.

Section 6724. Other corporate acquisitions

Source: ICL § 752; 40 P.S. § 910-52.

Section 6725. Change in corporate control

Source: ICL § 753; 40 P.S. § 910-53.

SUBCHAPTER C. INVESTMENTS AND RESERVES

Section 6731. Financial requirements

Source: ICL § 705; 40 P.S. § 910-5.

Section 6732. Procedure when capital impaired

Source: ICL § 706; 40 P.S. § 910-6.

Section 6733. Unearned premium reserve

Source: ICL § 714; 40 P.S. § 910-14.

Section 6734. Amount of unearned premium reserve

Source: ICL § 715; 40 P.S. § 910-15.

Comment: ICL § 715(f) and (g) are omitted as obsolete.

Section 6735. Maintenance of unearned premium reserve

Source: ICL § 716; 40 P.S. § 910-16.

Comment: The first sentence of ICL § 716 is omitted as unnecessary. See Code § 6740, corresponding to ICL § 734.

Section 6736. Use of unearned premium reserve

Source: ICL § 717; 40 P.S. § 910-17.

Section 6737. Reserves for unpaid losses and loss expenses

Source: ICL § 718; 40 P.S. § 910-18.

Section 6738. Investment of capital

Source: ICL § 732; 40 P.S. § 910-32.

Comment: For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

Section 6739. Investment of surplus

Source: ICL § 733; 40 P.S. § 910-33.

Comment: For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

Section 6740. Investment of unearned premium reserve

Source: ICL § 734; 40 P.S. § 910-34.

Comment: For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

Section 6741. Other reserves

Source: ICL § 735; 40 P.S. § 910-35.

Comment: For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

SUBCHAPTER D. RATE REGULATION

Section 6751. Rate filing

Source: ICL § 737; 40 P.S. § 910-37.

Section 6752. Justification for rates

Source: ICL § 738; 40 P.S. § 910-38.

Section 6753. Making of rates

Source: ICL § 739; 40 P.S. § 910-39.

Comment: Subsection (a) - "Actual expenses and losses" includes commissions paid and the actual costs of maintaining a title plant. See ICL § 739(b).

Section 6754. Disapproval of filings

Source: ICL § 740; 40 P.S. § 910-40.

Section 6755. Rating organizations

Source: ICL § 741; 40 P.S. § 910-41.

Section 6756. Deviations

Source: ICL § 742; 40 P.S. § 910-42.

Section 6757. Appeals by minority

Source: ICL § 743; 40 P.S. § 910-43.

Section 6758. Information to be furnished insureds

Source: ICL § 744(a); 40 P.S. § 910-44(a).

Section 6759. Hearings and appeals of insureds

Source: ICL § 744(b); 40 P.S. § 910-44(b).

Section 6760. Examinations of rating organizations

Source: ICL § 745; 40 P.S. § 910-45.

Section 6761. Recording and reporting of loss and expense experience

Source: ICL § 746; 40 P.S. § 910-46.

Comment: ICL § 746(b) and the second sentence of (d) are supplied by Code § 304. Subsection (c) and the first sentence of subsection (d) are omitted as unnecessary.

Section 6762. False or misleading information

Source: ICL § 747; 40 P.S. § 910-47.

SUBCHAPTER E. PENALTIES AND PROCEDURES

Section 6771. Penalties

Source: ICL § 748; 40 P.S. § 910-48.

Section 6772. Hearing procedure

Source: ICL § 749; 40 P.S. § 910-49.

CHAPTER 69. HEALTH AND ACCIDENT INSURANCE

Comment: For provisions regarding coordination of benefits between private health care coverage and publicly funded health care programs, see section 1409 of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.

For provisions regarding insurance requirements for persons operating an amusement ride or attraction, see section 14 of the act of June 18, 1984 (P.L.384, No.81), known as the Amusement Ride Inspection Act.

For provisions relating to liability insurance relating to the use, ownership and maintenance of the common areas of condominiums, see 68 Pa.C.S. § 3312.

For provisions regarding conversion by public employees from other medical coverage to coverage applicable to public employees, see

24 Pa.C.S. § 8505(i) (public school employees) and 71 Pa.C.S. §§ 5905(h) and 5906(j) (state employees).

For provisions relating to insurance for liability arising out of the ownership, maintenance or use of aircraft, see 74 Pa.C.S. § 5503(d) and (e).

ICL § 618(F) is supplied by Code § 304.

SUBCHAPTER A. PRELIMINARY PROVISIONS

Section 6901. Definitions

Source: "Forms." Act of May 18, 1976 (P.L.123, No.54), known as the Individual Accident and Sickness Insurance Minimum Standards Act, § 2(a); 40 P.S. § 776.2(a).

"Health and accident insurance." Act of May 18, 1976 (P.L.123, No.54), § 2(a); 40 P.S. § 776.2(a); act of April 18, 1978 (P.L.33, No.16), § 1; 40 P.S. § 767; act of December 23, 1981 (P.L.583, No.168), § 1; 40 P.S. § 3001.

"Insured." ICL § 618(E); 40 P.S. § 753(E).

"Policy." Act of May 18, 1976 (P.L.123, No.54), § 2(a); 40 P.S. § 776.2(a); act of April 18, 1978 (P.L.33, No.16), § 1; 40 P.S. § 767; act of December 23, 1981 (P.L.583, No.168), § 1; 40 P.S. § 3001.

Section 6902. Organizations included

Source: Act of May 18, 1976 (P.L.123, No.54), § 2(b); 40 P.S. § 776.2(b).

Section 6903. Applicability

Source: (a), (b) - ICL § 629(a); 40 P.S. § 764(a).

(c) - ICL § 629(b); 40 P.S. § 764(b).

(d) - ICL § 629(e); 40 P.S. § 764(e).

Section 6904. Nonconforming policies

Source: (a) - ICL § 620; 40 P.S. § 755.

(b) - ICL § 621(A); 40 P.S. § 756(A).

(c) - ICL §§ 621(B) and 625; 40 P.S. §§ 756(B) and 760.

Section 6905. Penalties

Source: ICL § 628; 40 P.S. § 763.

SUBCHAPTER B. GENERAL REQUIREMENTS

Section 6911. Approval of policies by commissioner

Source: ICL § 616; 40 P.S. § 751.

Section 6912. Formal requirements

Source: ICL § 617; 40 P.S. § 752.

Section 6913. Mandatory policy provisions

Source: (a)-(n) - ICL § 618(A); 40 P.S. § 753(A).

(o) - ICL § 629(d); 40 P.S. § 764(d).

Section 6914. Optional policy provisions

Source: ICL § 618(B); 40 P.S. § 753(B).

Section 6915. Relationship of policy provisions

Source: (a) - ICL § 618(C); 40 P.S. § 753(C).

(b) - ICL § 618(D); 40 P.S. § 753(D).

Section 6916. Coverage of certain services

Source: (a) - Act of April 18, 1978 (P.L.33, No.16), §§ 1-3; 40 P.S. §§ 767-769.

(b) - Act of December 27, 1965 (P.L.1247, No.506), § 2; 40 P.S. § 1502.

Comment: Subsection (a) - The cross references in section 1 of the act of April 18, 1978 (P.L.33, No.16), are supplied by the term "policy" as defined in Code § 6901.

Section 6917. Coverage of newborn children

Source: Act of August 1, 1975 (P.L.157, No.81).

(a) - § 1; 40 P.S. § 771.

(b) - § 2; 40 P.S. § 772.

(c) - § 3; 40 P.S. § 773.

Section 6918. Licensed medical treatment

Source: Act of August 12, 1971 (P.L.313, No.78), § 1; 40 P.S. § 1511.

Section 6919. Services of nurse midwives

Source: Act of December 23, 1981 (P.L.583, No.168), §§ 1 and 2; 40 P.S. §§ 3001 and 3002.

Comment: Subsection (a) - The cross references in section 1 of the act of December 23, 1981 (P.L.583, No.168) are supplied by the term "policy" as defined in Code § 6901.

Section 6920. Age limits

Source: ICL § 619; 40 P.S. § 754.

Section 6921. Cost-of-living increases

Source: ICL § 619.1; 40 P.S. § 754.1.

Section 6922. Applications for insurance

Source: (a) - ICL § 622; 40 P.S. § 757.

(b), (c) - ICL § 623; 40 P.S. § 758.

Section 6923. Preservation of rights of insured

Source: ICL § 624; 40 P.S. § 759.

Section 6924. Discrimination

Source: ICL § 626; 40 P.S. § 761.

SUBCHAPTER C. GROUP, BLANKET AND FRANCHISE POLICIES

Section 6931. Definitions

Source: "Blanket health and accident insurance." ICL § 621.3(a);
40 P.S. § 756.3(a).

"Franchise health and accident insurance." ICL § 621.4; 40 P.S.
§ 756.4.

"Group health and accident insurance." ICL § 621.2(a); 40 P.S.
§ 756.2(a).

Section 6932. Required provisions for group health and accident
policies

Source: ICL § 621.2(b); 40 P.S. 756.2(b).

Section 6933. Provision for direct payment

Source: ICL § 621.2(c); 40 P.S. § 756.2(c).

Section 6934. Conversion privileges

Source: ICL § 621.2(d); 40 P.S. § 756.2(d).

Comment: ICL § 621.2(d)(17) appears at Code § 6934(b)(11)(v).
ICL § 621.2(d)(18) appears at Code § 6934(b)(15).

Section 6935. Blanket health and accident insurance

Source: ICL § 621.3(b), (c) and (d); 40 P.S. 756.3(b), (c) and (d).

Section 6936. Companies authorized to write policies

Source: ICL § 621.5; 40 P.S. § 756.5.

SUBCHAPTER D. MINIMUM STANDARDS FOR INDIVIDUAL POLICIES

Section 6941. Short title of subchapter.

Source: Act of May 18, 1976 (P.L.123, No.54), known as the Individual Accident and Sickness Insurance Minimum Standards Act, § 1; 40 P.S. § 776.1.

Section 6942. Standards for policy provisions

Source: Act of May 18, 1976 (P.L.123, No.54), § 3; 40 P.S. § 776.3.

Section 6943. Minimum standards for benefits

Source: Act of May 18, 1976 (P.L.123, No.54), § 4; 40 P.S. § 776.4.

Section 6944. Outline of coverage

Source: Act of May 18, 1976 (P.L.123, No.54), § 5; 40 P.S. § 776.5.

Section 6945. Preexisting conditions

Source: Act of May 18, 1976 (P.L.123, No.54), § 6; 40 P.S. § 776.6.

Section 6946. Procedure regarding regulation

Source: Act of May 18, 1976 (P.L.123, No.54), § 7; 40 P.S. § 776.7.

SUBCHAPTER E. MEDICARE SUPPLEMENT INSURANCE

Section 6951. Short title of subchapter

Source: Act of December 15, 1982 (P.L.1291, No.292), known as the Medicare Supplement Insurance Act, § 1; 40 P.S. § 3101.

Section 6952. Definitions

Source: "Applicant," "certificate," "medicare" and "medicare supplement policy" - Medicare Supplement Insurance Act, § 2; 40 P.S. § 3102.

"Direct response certificate or policy" - Medicare Supplement Insurance Act, § 7(d); 40 P.S. § 3107(d).

Section 6953. Definitions in Medicare supplement policies

Source: Medicare Supplement Insurance Act, § 3; 40 P.S. § 3103.

Section 6954. Prohibited policy provisions

Source: Medicare Supplement Insurance Act, § 4; 40 P.S. § 3104.

Section 6955. Minimum benefit standards

Source: Medicare Supplement Insurance Act, § 5; 40 P.S. § 3105.

Section 6956. Loss ratio standards

Source: Medicare Supplement Insurance Act, § 6; 40 P.S. § 3106.

Section 6957. Required disclosures

Source: Medicare Supplement Insurance Act, § 7; 40 P.S. § 3107.

Section 6958. Requirements for replacement

Source: Medicare Supplement Insurance Act, § 8; 40 P.S. § 3108.

Section 6959. Regulations

Source: Medicare Supplement Insurance Act, § 9; 40 P.S. § 3109.

Section 6960. Applicability of mandated coverages

Source: Medicare Supplement Insurance Act, § 10; 40 P.S. § 3110.

Section 6961. Applicability of subchapter

Source: Medicare Supplement Insurance Act, § 11; 40 P.S. § 3111.

CHAPTER 71. HEALTH CARE SERVICES MALPRACTICE

Comment: See pages 6 - 8 of this report for a general explanation of the changes made in Subchapters B and C.

SUBCHAPTER A. GENERAL PROVISIONS

Section 7101. Short title of chapter

Source: Act of October 15, 1975 (P.L.390, No.111), known as the Health Care Services Malpractice Act, § 101; 40 P.S. § 1301.101.

Section 7102. Purpose of chapter

Source: Health Care Services Malpractice Act, § 102; 40 P.S. § 1301.102.

Section 7103. Definitions

Source: "Administrator," "arbitration panels," "claims made," "government," "health care provider," "licensure board," "patient," "primary health center," and "professional liability insurance" - Health Care Services Malpractice Act, § 103; 40 P.S. § 1301.103.

"Court" - New.

"Fund" - Health Care Services Malpractice Act, § 701(d); 40 P.S. § 1301.701(d).

Section 7104. Exemptions

Source: Health Care Services Malpractice Act, § 701(g) and (h); 40 P.S. § 1301.701(g) and (h).

Section 7105. Liability of nonqualifying health care providers

Source: Health Care Services Malpractice Act, § 201; 40 P.S. § 1301.201.

Section 7106. Informed consent

Source: Health Care Services Malpractice Act, § 103; 40 P.S. § 1301.103.

Section 7107. Official immunity

Source: Health Care Services Malpractice Act, § 1001; 40 P.S. § 1301.1001.

Section 7108. Cancellation of insurance policies

Source: Health Care Services Malpractice Act, § 1002; 40 P.S. § 1301.1002.

SUBCHAPTER B. ARBITRATION PANELS FOR HEALTH CARE

Section 7111. Administrator for arbitration panels

Source: Health Care Services Malpractice Act.

(a) - § 301; 40 P.S. § 1301.301.

(b) - § 302; 40 P.S. § 1301.302.

Comment: The reference to Department of Justice is changed to Office of General Counsel to comply with section 301(5)(iii) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

Section 7112. Powers and duties of administrator

Source: Health Care Services Malpractice Act.

(a) - § 303; 40 P.S. § 1301.303.

(b) - § 304(a); 40 P.S. § 1301.304(a).

(c) - § 305; 40 P.S. § 1301.305.

(d) - § 306; 40 P.S. § 1301.306.

(e), (f) and (g) - § 307; 40 P.S. § 1301.307.

Comment: Subsection (b) - Under section 610-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, medical malpractice arbitration annual fees will be set by the administrator based on the costs incurred in the arbitration process for each filing.

Section 7113. Arbitration panels for health care

Source: Health Care Services Malpractice Act § 308; 40 P.S. § 1301.308.

SUBCHAPTER C. PROCEDURE IN MALPRACTICE CASES

Section 7121. Jurisdiction of arbitration panels

Source: Health Care Services Malpractice Act.

(a) - § 309; 40 P.S. § 1301.309.

(b) - New.

Comment: Subsection (a) - The jurisdiction is changed from exclusive to concurrent in order to comply with Heller v. Frankston, 504 Pa. 528 (1984).

Subsection (b) - This subsection is new and is drafted to provide a voluntary reference procedure to the Arbitration Panels for Health Care. Such a procedure permits the parties to exercise the jurisdiction of the panels where they believe this procedure can aid in the disposition of the case.

Section 7122. Procedure for filing claims

Source: Health Care Services Malpractice Act § 401; 40 P.S. § 1301.401.

Comment: The last sentence of section 401 of the act of October 15, 1975 (P.L.390, No.111), known as the Health Care Services Malpractice Act, is omitted; the statute of limitations is tolled in the usual manner applicable to a civil action. The procedure under this chapter is commenced only after the pleadings under the Rules of Civil Procedure are closed.

Section 7123. Hearings and determinations

Source: Health Care Services Malpractice Act § 402; 40 P.S. § 1301.402.

Section 7124. Transfer to court

Source: Health Care Services Malpractice Act.

(a) - § 403; 40 P.S. § 1301.403.

(b) - § 501; 40 P.S. § 1301.501.

(c) - § 505; 40 P.S. § 1301.505.

Comment: Subsection (c) - Section 505 of the act of October 15, 1975 (P.L.390, No.111), known as the Health Care Services Malpractice Act, is interpreted to require that the attorney member decide questions of law.

Section 7125. Service of papers

Source: Health Care Services Malpractice Act §§ 503 and 504; 40 P.S. §§ 1301.503 and 1301.504.

Section 7126. Applicability of other law

Source: Health Care Services Malpractice Act § 506; 40 P.S. § 1301.506.

Section 7127. Appointment of expert witnesses

Source: Health Care Services Malpractice Act § 507; 40 P.S. § 1301.507.

Section 7128. Powers and duties of panels

Source: Health Care Services Malpractice Act § 508(a); 40 P.S. § 1301.508(a).

Section 7129. Notice of award

Source: Health Care Services Malpractice Act § 508(b); 40 P.S. § 1301.508(b).

Section 7130. Judicial review

Source: Health Care Services Malpractice Act.

(a) - § 509; 40 P.S. § 1301.509.

(b) - § 510; 40 P.S. § 1301.510.

Section 7131. Judgments

Source: Health Care Services Malpractice Act § 511(a); 40 P.S. § 1301.511(a).

Comment: The detailed procedural requirements are omitted as superfluous. The judgment is to be treated as a judgment on a case decided by compulsory civil arbitration, unless other rules are provided by the Supreme Court as Rules of Civil Procedure or by the court of common pleas as local rules.

Section 7132. Advance payments

Source: Health Care Services Malpractice Act.

(a) - § 512; 40 P.S. § 1301.512.

(b) - § 513; 40 P.S. § 1301.513.

Section 7133. Submission of findings to licensure boards

Source: Health Care Services Malpractice Act § 514; 40 P.S. § 1301.514.

Section 7134. Reduction of award by other benefits

Source: Health Care Services Malpractice Act § 602; 40 P.S. § 1301.602.

Section 7135. Award of punitive damages

Source: Health Care Services Malpractice Act § 603; 40 P.S. § 1301.603.

Section 7136. Attorney fees

Source: Health Care Services Malpractice Act § 604; 40 P.S. § 1301.604.

SUBCHAPTER D. MEDICAL PROFESSIONAL LIABILITY

CATASTROPHE LOSS FUND

Section 7141. Professional liability insurance

Source: Health Care Services Malpractice Act.

(a)-(d), (g) - § 701(a); 40 P.S. § 1301.701(a).

(e) - § 701(b); 40 P.S. § 1301.701(b).

(f) - § 701(c); 40 P.S. § 1301.701(c).

Section 7142. Medical Professional Liability Castastrophe Loss Fund

Source: Health Care Services Malpractice Act § 701(d) and (e); 40 P.S. § 1301.701(d) and (e).

Comment: Transitional provisions in section 701(e)(2) and (e)(3) of the act of October 15, 1975 (P.L.390, No.111), known as the Health Care Services Malpractice Act, are omitted from Code § 7142(c) and (d).

Section 7143. Administration of fund

Source: Health Care Services Malpractice Act.

(a) - § 702(a) and (b); 40 P.S. § 1301.702(a) and (b).

(b) - § 702(a), (f), (g) and (h); 40 P.S. § 1301.702(a), (f), (g) and (h).

(c) - § 702(c); 40 P.S. § 1301.702(c).

(d) - § 702(d); 40 P.S. § 1301.702(d).

(e) - § 605; 40 P.S. § 1301.605.

(f) - § 702(e) and (f); 40 P.S. § 1301.702(e) and (f).

Section 7144. Liability of excess carriers

Source: Health Care Services Malpractice Act § 705; 40 P.S. § 1301.705.

Section 7145. Licensure penalties

Source: Health Care Services Malpractice Act § 701(f); 40 P.S. § 1301.701(f).

SUBCHAPTER D. AVAILABILITY OF INSURANCE

Section 7151. Plan to assure availability of insurance

Source: Health Care Services Malpractice Act § 801; 40 P.S. § 1301.801.

Section 7152. Participation in plan

Source: Health Care Services Malpractice Act § 802; 40 P.S. § 1301.802.

Section 7153. Plan operation, rates and deficits

Source: Health Care Services Malpractice Act § 803; 40 P.S. § 1301.803.

Section 7154. Authority of commissioner

Source: Health Care Services Malpractice Act.

(a) - § 804; 40 P.S. § 1301.804.

(b) - § 808; 40 P.S. § 1301.808.

Section 7155. Financing and payment of premiums

Source: Health Care Services Malpractice Act § 805; 40 P.S. § 1301.805.

Section 7156. Selection of insurer to administer plan

Source: Health Care Services Malpractice Act § 806; 40 P.S. § 1301.806.

Section 7157.- Approval of policies on claims made basis

Source: Health Care Services Malpractice Act § 807; 40 P.S. § 1301.807.

Section 7158. Annual reports to commissioner

Source: Health Care Services Malpractice Act § 809; 40 P.S. § 1301.809.

Comment: In reporting the disposition of claims, the plan administrators shall show dispositions by judgment of an arbitration panel, judgment of a court settlement or otherwise. Section 809 of the act of October 15, 1975 (P.L.390, No.111), known as the Health Care Services Malpractice Act.

Section 7159. Studies and recommendations

Source: Health Care Services Malpractice Act § 810; 40 P.S. § 1301.810.

Section 7160. Coverage by joint underwriting association

Source: Health Care Services Malpractice Act § 811(a), (b) and (c); 40 P.S. § 1301.811(a), (b) and (c).

Section 7161. Applicability of certain provisions

Source: Health Care Services Malpractice Act § 811(d); 40 P.S. § 1301.811(d).

SUBCHAPTER F. DISCIPLINARY PROCEEDINGS

Section 7171. Investigations

Source: Health Care Services Malpractice Act § 901; 40 P.S. § 1301.901.

Section 7172. Hearings

Source: Health Care Services Malpractice Act § 902; 40 P.S.
§ 1301.902.

Comment: Language is added to include the necessary references to the act of March 2, 1956 (1955 P.L.1206, No.375), known as the Podiatry Act of 1956 and to the State Board of Podiatry Examiners. These were evidently intended by the General Assembly. See §§ 902(a), 905 and 907 of the act of October 15, 1975 (P.L.390, No.111), known as the Health Care Services Malpractice Act.

Section 7173. Decisions of hearing examiners

Source: Health Care Services Malpractice Act § 903; 40 P.S.
§ 1301.903.

Comment: A reference to the State Board of Podiatry Examiners has been added. See comment to section 7172.

Section 7174. Evidence

Source: Health Care Services Malpractice Act § 904; 40 P.S.
§ 1301.904.

Section 7175. Review and decision by licensing boards

Source: Health Care Services Malpractice Act § 905; 40 P.S.
§ 1301.905.

Section 7176. Disposition of certain moneys

Source: Health Care Services Malpractice Act § 907; 40 P.S.
§ 1301.907.

SUBCHAPTER G. MISCELLANEOUS PROVISIONS

Section 7181. Existing contract provisions

Source: Health Care Services Malpractice Act § 1004; 40 P.S.
§ 1301.1004.

Section 7182. Joint committee

Source: Health Care Services Malpractice Act § 1006; 40 P.S. § 1301.1006.

Comment: Section 1006 of the act of October 15, 1975 (P.L.390, No.111), known as the Health Care Services Malpractice Act required the joint committee to "study the distribution of professional liability insurance costs as among the various classes of physicians and health care providers" and to "report its findings and recommendations within one year of the effective date of [the Health Care Services Malpractice Act]." The provision is interpreted to require the committee to continue to report its findings in this area, but does not require these reports at any specific time or time interval. Similarly, the provision is interpreted to require continuing study of the operations of the Medical Professional Liability Catastrophe Loss Fund. The mandated study of conflicts of interest and the requirement to promulgate a Code of Ethics are omitted as transitional.

CHAPTER 73. HEALTH MAINTENANCE ORGANIZATIONS

SUBCHAPTER A. GENERAL PROVISIONS

Section 7301. Short title of chapter

Source: Act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act, § 1; 40 P.S. § 1551.

Section 7302. Purpose of chapter

Source: Health Maintenance Organization Act, § 2; 40 P.S. § 1552.

Section 7303. Definitions

Source: Health Maintenance Organization Act, § 3; 40 P.S. § 1553.

Section 7304. Applicability of chapter

Source: Health Maintenance Organization Act, § 17; 40 P.S. § 1567.

Section 7305. Applicability of other law

Source: Health Maintenance Organization Act, § 10(a) and (b);
40 P.S. § 1560(a) and (b).

Comment: See also act of July 19, 1979 (P.L.130, No.48), known as
the Health Care Facilities Act, which grants limited regulatory
jurisdiction over health maintenance organizations to the
Department of Health.

Section 7306. Exemption from taxation

Source: Health Maintenance Organization Act, § 13; 40 P.S. § 1563.

Section 7307. Regulations

Source: Health Maintenance Organization Act, § 14; 40 P.S. § 1564.

SUBCHAPTER B. OPERATION AND REGULATION

Section 7321. Scope of authorization

Source: Health Maintenance Organization Act, § 4; 40 P.S. § 1554.

Section 7322. Certificates of authority

Source: Health Maintenance Organization Act.

(a)-(c) - § 5.1; 40 P.S. § 1555.1.

(d) - § 16; 40 P.S. § 1566.

Comment: Section 5.1(b)(2)(iv) of the act of December 29, 1972
(P.L.1701, No.364), is interpreted to clearly allow the
commissioner to require the security mentioned by regulation; the
present provision is unclear whether the commissioner may require
such deposits or consider the security in determining whether to
grant the application for a certificate of authority.

Section 7323. Foreign health maintenance organization

Source: Health Maintenance Organization Act § 6.1; 40 P.S.
§ 1556.1.

Section 7324. Filing of rates and contract forms

Source: Health Maintenance Organization Act § 10(c); 40 P.S. § 1560(c).

Section 7325. Reports and examinations

Source: Health Maintenance Organization Act § 11; 40 P.S. § 1561.

Section 7326. Contracts

Source: Health Maintenance Organization Act.

(a) and (b) - § 8; 40 P.S. § 1558.

(c) - § 12; 40 P.S. § 1562.

Section 7327. Services performed outside service areas

Source: Health Maintenance Organization Act § 9; 40 P.S. § 1559.

Section 7328. Additional requirements

Source: Health Maintenance Organization Act.

(a) - § 7; 40 P.S. § 1557.

(b)-(d) - § 10(d), (e) and (f); 40 P.S. § 1560(d), (e) and (f).

Section 7329. Penalties

Source: Health Maintenance Organization Act § 15; 40 P.S. § 1565.

CHAPTER 74. CONTINUING CARE PROVIDERS

Section 7401. Short title of chapter

Source: Act of June 18, 1984 (P.L.391, No.82), known as the Continuing-Care Provider Registration and Disclosure Act, § 1; 40 P.S. § 3201.

Section 7402. Purpose of chapter

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 2; 40 P.S. § 3202.

Section 7403. Definitions

Source: Continuing-Care Provider Registration and Disclosure Act.

"Provider." §§ 2 and 3; 40 P.S. §§ 3202 and 3203.

Other definitions - § 3; 40 P.S. § 3203.

Section 7404. Certificates of authority

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 4; 40 P.S. § 3204.

Section 7405. Revocation of certificate of authority

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 5; 40 P.S. § 3205.

Section 7406. Sales or transfers of ownership

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 6; 40 P.S. § 3206.

Section 7407. Disclosure statements

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 7; 40 P.S. § 3207.

Section 7408. False information

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 8; 40 P.S. § 3208.

Section 7409. Reserves

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 9; 40 P.S. § 3209.

Section 7410. Reserve fund escrow

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 10; 40 P.S. § 3210.

Section 7411. Liens on behalf of residents

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 11; 40 P.S. § 3211.

Section 7412. Entrance fee escrow

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 12; 40 P.S. § 3212.

Section 7413. Cross-collateralization

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 13; 40 P.S. § 3213.

Section 7414. Resident's agreements

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 14; 40 P.S. § 3214.

Section 7415. Organizational rights of residents

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 15; 40 P.S. § 3215.

Section 7416. Rehabilitation or liquidation

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 16; 40 P.S. § 3216.

Section 7417. Civil liability

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 17; 40 P.S. § 3217.

Section 7418. Investigations and compulsory process

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 18; 40 P.S. § 3218.

Section 7419. Audits

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 19; 40 P.S. § 3219.

Section 7420. Consumers' guides

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 20; 40 P.S. § 3220.

Section 7421. Civil relief from violations

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 21; 40 P.S. § 3221.

Section 7422. Criminal penalties

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 22; 40 P.S. § 3222.

Section 7423. Fees and expenses

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 23; 40 P.S. § 3223.

Section 7424. Compliance period

Source: Continuing-Care Provider Registration and Disclosure Act,
§ 24; 40 P.S. § 3224.

CHAPTER 75. HOSPITAL PLAN CORPORATIONS

SUBCHAPTER A. PRELIMINARY PROVISIONS

Section 7501. Definitions

Source: 40 Pa.C.S. § 6101 (1972), act of November 15, 1972
(P.L.1063, No.271).

Section 7502. Applicability

Source: Act of July 29, 1977 (P.L.105, No.38), § 905; 40 P.S. § 1141-905.

Section 7503. Penalties

Source: 40 Pa.C.S. § 6105 (1972).

SUBCHAPTER B. CERTIFICATION

Section 7511. Certification of hospital plan corporations

Source: 40 Pa.C.S. § 6102 (1972).

Section 7512. Exemptions for hospital plan corporations

Source: 40 Pa.C.S. § 6103 (1972).

Section 7513. Uncertified plans

Source: 40 Pa.C.S. § 6104 (1972).

SUBCHAPTER C. REGULATIONS

Section 7521. Eligible hospitals

Source: 40 Pa.C.S. § 6121 (1972).

Section 7522. Action as agent under Federal and other programs

Source: 40 Pa.C.S. § 6122 (1972).

Section 7523. Investment of funds

Source: 40 Pa.C.S. § 6123 (1972).

Comment: For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

Section 7524. Rates and contracts

Source: (a), (b) and (c) - 40 Pa.C.S. § 6124 (1972).

(d) - Act of August 2, 1975 (P.L.293, No.94) § 2.

Section 7525. Reports and examinations

Source: 40 Pa.C.S. § 6125 (1972).

Section 7526. Solicitors and agents

Source: 40 Pa.C.S. § 6126 (1972).

Section 7527. Dissolution or liquidation

Source: 40 Pa.C.S. § 6127 (1972).

CHAPTER 77. PROFESSIONAL HEALTH SERVICES PLAN

CORPORATIONS

SUBCHAPTER A. PRELIMINARY PROVISIONS

Section 7701. Applicability of chapter

Source: 40 Pa.C.S. § 6301 (1972), act of November 15, 1972 (P.L.1063, No.271).

Comment: Societies subject to regulation under Chapter 45 are excluded by Code § 7701(b)(2) on the authority of §§ 104 and 905 of the act of July 29, 1977 (P.L.105, No.38), known as the Fraternal Benefit Society Code.

Section 7702. Definitions

Source: 40 Pa.C.S. § 6302 (1972).

Comment: For definitions of "dentist," "optometrist," "osteopath," and "osteopathic surgeon," see 1 Pa.C.S. § 1991. "Physician" is specially defined to include only practitioners licensed to practice medicine and surgery, to preserve the distinction between these practitioners and osteopaths and

osteopathic surgeons, which appears to be made in the act of November 15, 1972 (P.L.1063, No.271). The definition of "income" is omitted as unnecessary.

Section 7703. Purpose of chapter

Source: 40 Pa.C.S. § 6303 (1972).

Section 7704. Penalties

Source: 40 Pa.C.S. § 6309 (1972).

Section 7705. Enforcement

Source: 40 Pa.C.S. § 6310 (1972).

SUBCHAPTER B. CERTIFICATION

Section 7711. Certification of professional health service corporations

Source: 40 Pa.C.S. § 6304 (1972).

Section 7712. Initial reserves

Source: 40 Pa.C.S. § 6305 (1972).

Section 7713. Incorporators

Source: 40 Pa.C.S. § 6306 (1972).

Section 7714. Exemptions for professional health service corporations

Source: 40 Pa.C.S. § 6307 (1972).

Section 7715. Uncertificated plans

Source: 40 Pa.C.S. § 6308 (1972).

SUBCHAPTER C. REGULATION GENERALLY

Section 7721. Required reserves

Source: 40 Pa.C.S. § 6321 (1972).

Section 7722. Scope of service

Source: 40 Pa.C.S. § 6322 (1972).

Section 7723. Action as agent under Federal and other programs

Source: 40 Pa.C.S. § 6323 (1972).

Section 7724. Health service doctors

Source: 40 Pa.C.S. § 6324 (1972).

Section 7725. Eligibility determinations

Source: 40 Pa.C.S. § 6325 (1972).

Section 7726. Authorized contract provisions

Source: 40 Pa.C.S. § 6326 (1972).

Section 7727. Subscriptions provided by government agencies

Source: 40 Pa.C.S. § 6327 (1972).

Section 7728. Board of directors

Source: 40 Pa.C.S. § 6328 (1972).

Section 7729. Rates and contracts

Source: 40 Pa.C.S. § 6329 (1972).

Section 7730. Investment of funds

Source: 40 Pa.C.S. § 6330 (1972).

Comment: For a list of investments specifically permitted under statutes not included in this Code, see comment to section 5302.

Section 7731. Reports and examinations

Source: 40 Pa.C.S. § 6331 (1972).

Section 7732. Regulation by Department of Health

Source: 40 Pa.C.S. § 6332 (1972).

Section 7733. Dental service agents

Source: 40 Pa.C.S. § 6333 (1972).

Section 7734. Dissolution or liquidation

Source: 40 Pa.C.S. § 6334 (1972).

Section 7735. Ancillary health services

Source: 40 P.S. § 6335 (1972).

CHAPTER 79. SURETY COMPANIES

Comment: For provisions regarding the licensure of professional bondsmen by the department, see 42 Pa.C.S. §§ 5742, 5743 and 5745.

Section 7901. Corporate sureties

Source: (a) - ICL § 661; 40 P.S. § 832.

(b) - Act of June 25, 1885 (P.L.181, No.149), § 1; 40 P.S. § 831.

Section 7902. Conditions for doing business

Source: ICL § 661; 40 P.S. § 832.

Section 7903. Certificates of authority

Source: ICL § 662; 40 P.S. § 833.

Section 7904. Annual statements

Source: ICL § 663; 40 P.S. § 834.

Section 7905. Power to execute obligations

Source: ICL § 664; 40 P.S. § 835.

Section 7906. Liability of companies

Source: ICL § 665; 40 P.S. § 836.

Section 7907. Guaranteed arrest bond certificates

Source: (a), (b), (d) - ICL § 666; 40 P.S. § 837.

(c) - ICL § 667; 40 P.S. § 838.

CHAPTER 81. PROPERTY AND CASUALTY INSURANCE

GUARANTY ASSOCIATION

SUBCHAPTER A. GENERAL PROVISIONS

Section 8101. Short title of chapter

Source: Act of November 25, 1970 (P.L.716, No.232), known as The Pennsylvania Insurance Guaranty Association Act, § 101; 40 P.S. § 1701.101.

Section 8102. Purposes of chapter

Source: The Pennsylvania Insurance Guaranty Association Act, § 102; 40 P.S. § 1701.102.

Section 8103. Definitions

Source: The Pennsylvania Insurance Guaranty Association Act, § 103; 40 P.S. § 1701.103.

Section 8104. Immunity

Source: The Pennsylvania Insurance Guaranty Association Act,
§ 601; 40 P.S. § 1701.601.

Section 8105. References to association in advertising

Source: The Pennsylvania Insurance Guaranty Association Act,
§ 603; 40 P.S. § 1701.603.

SUBCHAPTER B. THE PENNSYLVANIA INSURANCE

GUARANTY ASSOCIATION

Section 8111. Pennsylvania Insurance Guaranty Association

Source: The Pennsylvania Insurance Guaranty Association Act,
§ 201; 40 P.S. § 1701.201.

Comment: Most of the language of section 201(c) of the act of
November 25, 1970 (P.L.716, No.232), known as The Pennsylvania
Guaranty Association Act, has been omitted as transitional. The
standard of "fair, reasonable and equitable" operation of the plan
appears in Code § 8112(a).

Section 8112. Plan of operation

Source: The Pennsylvania Insurance Guaranty Association Act
§ 202; 40 P.S. § 1701.202. "Fair, reasonable and equitable" in
subsection (a) derived from § 201(c) of the act, 40 P.S.
§ 1701.201(c).

Comment: Subsection (a) - This subsection has been drafted to
maintain continuity between the plan in force under this Code and
the plan adopted under the act of November 25, 1970 (P.L.716,
No.232), known as The Pennsylvania Insurance Guaranty Association
Act.

Section 8113. Examination of association

Source: The Pennsylvania Insurance Guaranty Association Act,
§ 203; 40 P.S. § 1701.203.

Section 8114. Annual and other statements

Source: The Pennsylvania Insurance Guaranty Association Act,
§ 204; 40 P.S. § 1701.204.

Section 8115. Limitation on taxability of association

Source: The Pennsylvania Insurance Guaranty Association Act,
§ 205; 40 P.S. § 1701.205.

SUBCHAPTER C. ASSESSMENTS

Section 8121. Assessments

Source: The Pennsylvania Insurance Guaranty Association Act,
§ 301; 40 P.S. § 1701.301.

Section 8122. Refunds

Source: The Pennsylvania Insurance Guaranty Association Act,
§ 302; 40 P.S. § 1701.302.

Section 8123. Recognition of assessments in rates

Source: The Pennsylvania Insurance Guaranty Association Act,
§ 303; 40 P.S. § 1701.303.

Section 8124. Assessments of other states

Source: The Pennsylvania Insurance Guaranty Association Act,
§ 304; 40 P.S. § 1701.304.

SUBSECTION D. POWERS AND DUTIES OF COMMISSIONER

Section 8131. Powers and duties of commissioner

Source: The Pennsylvania Insurance Guaranty Association Act.

(a), (b) - 401; 40 P.S. § 1701.401.

(c) - § 403; 40 P.S. § 1701.403.

SUBCHAPTER E. RECOVERY PROCEDURE

Section 8141. Notice of claims

Source: The Pennsylvania Insurance Guaranty Association Act, § 501; 40 P.S. § 1701.501.

Section 8142. Effect of paid claims

Source: The Pennsylvania Insurance Guaranty Association Act, § 502; 40 P.S. § 1701.502.

Section 8143. Duplication of recovery

Source: The Pennsylvania Insurance Guaranty Association Act, § 503; 40 P.S. § 1701.503.

Section 8144. Proceedings involving insolvent insurers

Source: The Pennsylvania Insurance Guaranty Association Act, § 602; 40 P.S. § 1701.602.

CHAPTER 83. LIFE AND HEALTH INSURANCE GUARANTY

ASSOCIATION

SUBCHAPTER A. GENERAL PROVISIONS

Section 8301. Short title of chapter

Source: Act of November 26, 1978 (P.L.1188, No.280), known as the Life and Health Insurance Guaranty Association Act, § 1; 40 P.S. § 1801.

Section 8302. Purpose of chapter

Source: Life and Health Insurance Guaranty Association Act, § 2; 40 P.S. § 1802.

Section 8303. Applicability

Source: Life and Health Insurance Guaranty Association Act, § 3; 40 P.S. § 1803.

Section 8304. Definitions

Source: Life and Health Insurance Guaranty Association Act, § 4;
40 P.S. § 1804.

Section 8305. Immunity

Source: Life and Health Insurance Guaranty Association Act, § 16;
40 P.S. § 1816.

Section 8306. References to association in advertising

Source: Life and Health Insurance Guaranty Association Act, § 18;
40 P.S. § 1818.

SUBCHAPTER B. ORGANIZATION OF ASSOCIATION

Section 8311. Pennsylvania Life and Health Insurance Guaranty Association

Source: Life and Health Insurance Guaranty Association Act.

(a) - §§ 5 and 14; 40 P.S. §§ 1805 and 1814.

(b) - § 5; 40 P.S. § 1805.

(c) - § 13(b); 40 P.S. § 1813(b).

Comment: Subsection (a) - Section 22(a) of the act of November 26, 1978 (P.L.1188, No.280), known as the Life and Health Insurance Guaranty Association Act is omitted because the provision is supplied by section 5(a) of that act, included in this subsection.

Section 8312. Board of directors

Source: Life and Health Insurance Guaranty Association Act,
§ 6; 40 P.S. § 1806.

Section 8313. Powers and duties of association

Source: Life and Health Insurance Guaranty Association Act.

- (a) - § 7(a); 40 P.S. § 1807(a).
- (b) - § 7(b) and (c); 40 P.S. § 1807(b) and (c).
- (c) - § 7(d); 40 P.S. § 1807(d).
- (d) - § 7(e); 40 P.S. § 1807(e).
- (e) - § 7(f); 40 P.S. § 1807(f).
- (f) - § 7(g); 40 P.S. § 1807(g).
- (g) - § 7(i) and (j); 40 P.S. § 1807(i) and (j).
- (h) - § 7(k); 40 P.S. § 1807(k).
- (i) - § 14; 40 P.S. § 1814.

Comment: Subsection (b) - This subsection applies to domestic, foreign and alien insurers. Cf. section 7(b) and (c) of the act of November 26, 1978 (P.L.1188, No.280), known as the Life and Health Insurance Guaranty Association Act.

Section 8314. Plan of operation

Source: Life and Health Insurance Guaranty Association Act, § 9; 40 P.S. § 1809.

Comment: Subsection (a) - This subsection is revised from section 9(a) of the act of November 26, 1978 (P.L.1188, No.280), known as the Life and Health Insurance Guaranty Association Act, in order to maintain continuity between the plan in force under this Code and the plan adopted under the 1978 act and to eliminate transitional language.

Section 8315. Tax exemption

Source: Life and Health Insurance Guaranty Association Act, § 15; 40 P.S. § 1815.

SUBCHAPTER C. ASSESSMENTS

Section 8321. Assessments

Source: Life and Health Insurance Guaranty Association Act.

(a)-(g) and (i) - § 8; 40 P.S. § 1808.

(h) - § 13(a); 40 P.S. § 1813(a).

Section 8322. Tax credits for assessments paid

Source: Life and Health Insurance Guaranty Association Act,
§ 12; 40 P.S. § 1812.

Section 8323. Assessments of other states

Source: Life and Health Insurance Guaranty Association Act,
§ 21; 40 P.S. § 1821.

Section 8324. Relation to Pennsylvania Insurance Guaranty Association

Source: Life and Health Insurance Guaranty Association Act,
§ 22; 40 P.S. § 1822.

SUBCHAPTER D. POWERS AND DUTIES OF COMMISSIONER

Section 8331. Powers and duties of commissioner

Source: Life and Health Insurance Guaranty Association Act.

(a)-(c) - § 10; 40 P.S. § 1810.

(d) - § 23; 40 P.S. § 1823.

SUBCHAPTER E. IMPAIRED AND INSOLVENT INSURERS

Section 8341. Prevention of insolvencies

Source: Life and Health Insurance Guaranty Association Act,
§ 11; 40 P.S. § 1811.

Section 8342. Affairs of impaired and insolvent insurers

Source: Life and Health Insurance Guaranty Association Act.

(a) - 7(h); 40 P.S. § 1807(h).

(b)-(e) - 13(c)-(e); 40 P.S. § 1813(c)-(e).

Section 8343. Proceedings involving insolvent insurers

Source: Life and Health Insurance Guaranty Association Act, § 17; 40 P.S. § 1817.

Section 8344. Timely filing of claims

Source: Life and Health Insurance Guaranty Association Act, § 19; 40 P.S. § 1819.

Section 8345. Duplication of recovery

Source: Life and Health Insurance Guaranty Association Act, § 20; 40 P.S. § 1820.

CHAPTER 85. INSURANCE PREMIUM FINANCE COMPANIES

SUBCHAPTER A. GENERAL PROVISIONS

Section 8501. Short title of chapter

Source: Act of December 19, 1984 (P.L.1182, No.224), known as the Insurance Premium Finance Company Act, § 1; 40 P.S. § 3301.

Section 8502. Definitions

Source: Insurance Premium Finance Company Act, § 2; 40 P.S. § 3302.

SUBCHAPTER B. LICENSURE

Section 8511. Licensure requirement

Source: Insurance Premium Finance Company Act, § 3; 40 P.S. § 3303.

Section 8512. Issuance and renewal of license

Source: Insurance Premium Finance Company Act, § 4; 40 P.S. § 3304.

Section 8513. Revocation or suspension of license

Source: Insurance Premium Finance Company Act, § 5; 40 P.S. § 3305.

SUBCHAPTER C. REGULATION

Section 8521. Books and records of licensee

Source: Insurance Premium Finance Company Act, § 6; 40 P.S. § 3306.

Section 8522. Form of agreement

Source: Insurance Premium Finance Company Act, § 7; 40 P.S. § 3307.

Section 8523. Limitations on interest and other charges

Source: Insurance Premium Finance Company Act, § 8; 40 P.S. § 3308.

Section 8524. Delinquency and cancellation charges

Source: Insurance Premium Finance Company Act, § 9; 40 P.S. § 3309.

Section 8525. Cancellation of insurance contract upon default

Source: Insurance Premium Finance Company Act, § 10; 40 P.S. § 3310.

Section 8526. Return of premiums

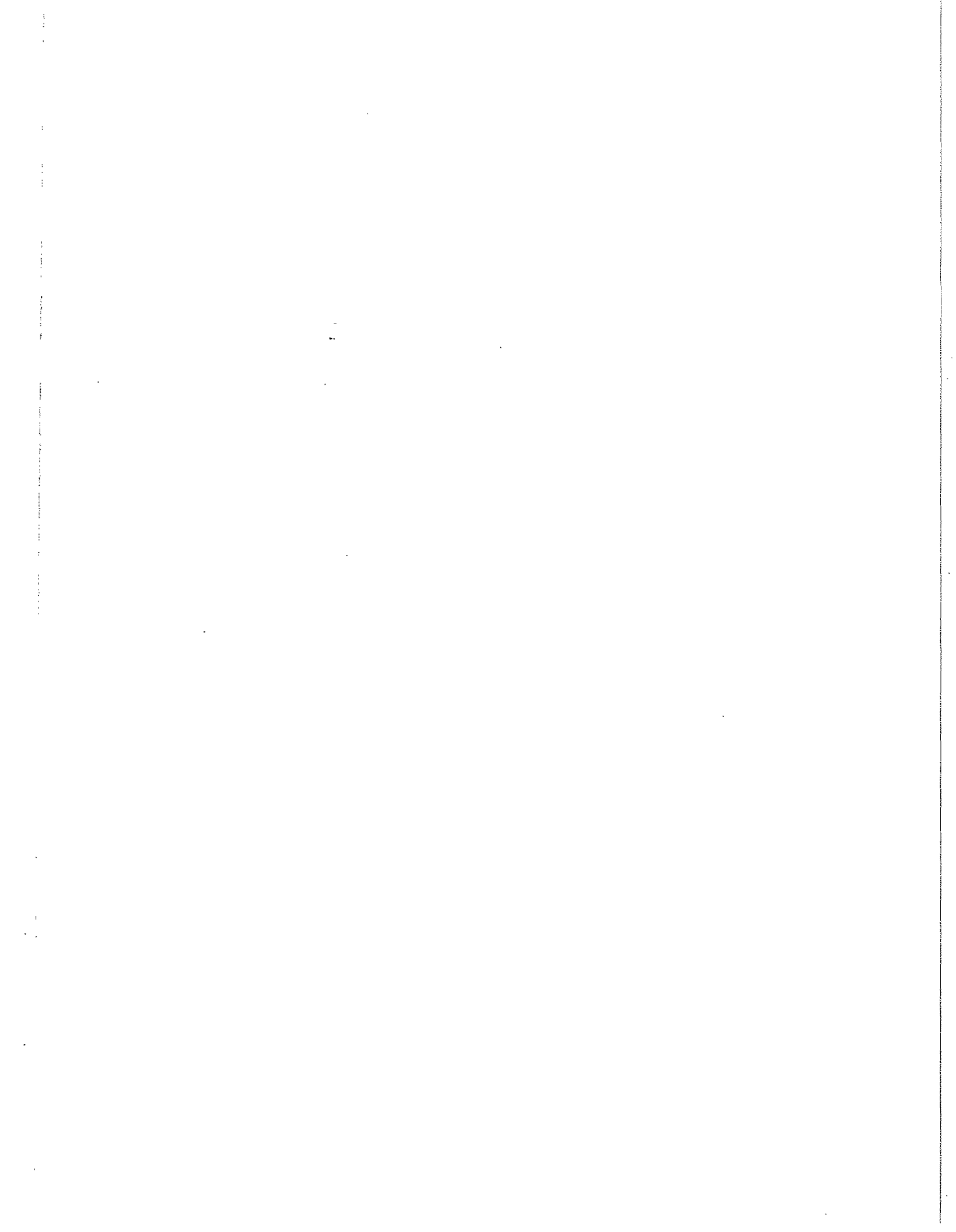
Source: Insurance Premium Finance Company Act, § 11; 40 P.S. § 3311.

Section 8527. Secured transactions

Source: Insurance Premium Finance Company Act, § 12; 40 P.S. § 3312.

Section 8528. Penalties for violations

Source: Insurance Premium Finance Company Act, § 13; 40 P.S. § 3313.



III. Disposition Table and Omitted Sections

DISPOSITION TABLE

The following table locates the sections of the present law in the Insurance Code. For unconsolidated statutes, the first column shows references by act and section in the official Pennsylvania Pamphlet Laws. The second column shows the section references in Purdon's Pennsylvania Statutes Annotated; unless otherwise indicated, these references are to Title 40. The third column shows section references in the proposed Insurance Code. Following the unconsolidated statutes are the references in the Pennsylvania Consolidated Statutes in numerical order by title and section. For these provisions, the Pa.C.S. references appear in the first column, and the corresponding reference in the proposed Code appears in the second column. Repealer and effective date provisions and short titles designated as such in the Insurance Code column are omitted. Sections omitted for other reasons are listed at the end of the table, with an explanation of the reason for the omission.

On page 165, following the Disposition Table, is a table showing the Omitted Sections. This table lists the acts and whole sections which are repealed by the Code but are not recodified. The table lists the provisions in the order of their appearance in the Pamphlet Laws; citations to Purdon's are also provided. Below the citation is a brief explanation of the omission. Omissions of subsections and smaller units of codified sections, if not merely editorial, are explained in Part II in the comment to the corresponding Code section.

DISPOSITION TABLE

Pa. Statutes	Purdon's*	Insurance Code	Pa. Statutes	Purdon's	Insurance Code
1850 P.L.126			209	389	3308
1	467	3511(a)	210	400	3341
2	468	3511(b)	211	401	3342
3	469	omitted	213	403	3343
			214	404	3344
1874 P.L.73			215	405	3345
28	552	5333			
			300	420	3576
1885 P.L.181			301	421	3577
1	831	7901(b)	301.1	421.1	3501
			302	422	3502
1891 P.L.5			302.1	422.1	3503
1	852	5582(a)	303	423	3504
2	853-859	5582(b)-(k)	304	424	3531(a), (b)
3	860	5582(j)	305	426	3531(c)
			306	427	3532(a)-(c)
1917 P.L.804			307	428	3532(d)
1	390	3321	308	429	3533
2	391	3322	309	432	3535
3	392	3323	309.1	432.1	3536
4	393	3324	310	433	3537
5	394	3325	311	434	3538
6	395	3326	312	435	3539
7	396	3327	313	436	3551
8	397	3328	314	437	3505
9	398	3329	315	438	3506
10	399	3330	316	439	3507
			317	440	3508
1919 P.L.208			317.1	440.1	3509
1	514	5331(b)	318	441	3510
			319	442	3512
1921 P.L.175			319.1	442.1	3513
1	592	5341	319.2	442.2	3514
2	593	5342	320	443	1705
3	594	5343, 5344	321	444	1706
4	595	5345	322	445	3552
			323	446	3554
1921 P.L.350			324	447	3555
1	478	3587	325	448	3556
2	479	3587	326	449	3557
			327	450	3558(a)
1921 P.L.682			328	451	3558(b)
101	361	102	329	452	3558(c)
102	362	short title	330	453	3558(d)
103	363	3101(a), (b)	331	454	3558(e), (f)
104	364	3102	332	455	3561
105	365	3103	333	456	3562(a)-(c)
106	366	3104	334	457	3562(d), (e)
107	367	3105	335	458	3562(d)
108	368	omitted	336	459	3563
109	369	omitted	337	459a	3564
201	381	3301	337.1	459.1	3565(a)
202	382	3302	337.2	459.2	3565(b)
203	383	3303	337.3	459.3	3565(c), (d)
204	384	3304	337.4	459.4	3565(e)
205	385	3305	337.5	459.5	3566, 3567
206	386	3306	337.6	459.6	3568
207	387	3303(7)	337.7	459.7	3569
208	388	3307	338	460	3570

*Title 40, unless otherwise indicated.

Pa. Statutes	Purdon's	Insurance Code	Pa. Statutes	Purdon's	Insurance Code
1921 P.L.682 (cont.)					
339	461	3571	507	637	5907
340	462	3578(a)	516	651	5921
341	463	3578(a)	517	652	5922
342	464	3578(b)	518	653	5923, 5924
343	465	omitted	518A	653a	5925
344	466	3106	519	654	5926
345	470	3581	520	655	5927
346	471	3582	531	671	5931
347	472	3583(a)	532	672	5932
348	473	3583(b)	601	721	5502(a)
349	474	omitted	602	722	5503, 5504
350	475	3584(a)-(c)	603	723	5505
351	476	3584(d)	604	724	5506
352	477	3553	605	725	5507
353	477a	3585	606	726	5508
354	477b	3515, 3586	607	727	5509
355	477c	3516	608	728	5501(b)
356	477d	3517	609	729	5501(a)
			610	730	5510
401	501	5306, 5351	616	751	6911
402	502	5312	617	752	6912
403	503	5313	618(A)	753(A)	6913(a)-(n)
404	504	5302	618(B)	753(B)	6914
405	505	5303	618(C)	753(C)	6915(a)
405.1	505.1	5304	618(D)	753(D)	6915(b)
406	506	5305	618(E)	753(E)	6901
406.1	506.1	5301	618(F)	753(F)	omitted
406.2(a)	506.2(a)	5307	619	754	6920
406.2(b)-(f)	506.2(b)-(f)	5332	619.1	754.1	6921
407	507	5309	620	755	6904(a)
408	508	5308	621	756	6904(b), (c)
410	510	5321	621.2(a)	756.2(a)	6931
410A	510.1	5322	621.2(b)	756.2(b)	6932
410B	510a	5323	621.2(c)	756.2(c)	6933
410C	510b	5324	621.2(d)	756.2(d)	6934
410D	510c	5325(a), (d)	621.3(a)	756.3(a)	6931
410E	510d	5325(b)-(d)	621.3(b)	756.3(b)	6935(a)
410F	510e	5326	621.3(c)	756.3(c)	6935(b)
411	511	5327	621.3(d)	756.3(d)	6935(c)
411A	511a	5328	621.4	756.4	6931
412	512	5329	621.5	756.5	6936
413	513	5331(a)	622	757	6922(a)
414	518	5335	623	758	6922(b), (c)
417	533	5372	624	759	6923
419	551	5310(a), (b)	625	760	6904(c)
420	571	5334	626	761	6924
420B	573	5381, 5382(a)	628	763	6905
420C	574	5382	629(a)	764(a)	6903(a), (b)
420D	575	5383	629(b)	764(b)	6903(c)
420E	576	5384	629(d)	764(d)	6913(o)
421	591	5311	629(e)	764(e)	6903(d)
426	611	5352(a)	636	781	5531
427	612	5352(b)	637	782	5532
428	613	5352(c)	638	783	5533
429	614	5353	639	784	5534
			640	785	5535
501	631	5901	641	786	5536
502	632	5902	642	787	5537
503	633	5903	643	788	5538
504	634	5904	644	789	5539
505	635	5905	645	790	5540
506	636	5906	646	791	5541

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1921 P.L.682 (cont.)			744(b)	910-44(b)	6759
647	792	omitted	745	910-45	6760
651	811	5521(a)	746	910-46	6761
652	812	5522	747	910-47	6762
653	813	5521(b)	748	910-48	6771
654	814	5523	749	910-49	6772
655	815	5524	750	910-50	omitted
661	832	7901(a), 7902	751	910-51	6723
662	833	7903	752	910-52	6724
663	834	7904	753	910-53	6725
664	835	7905	754	910-54	6703
665	836	7906			
666	837	7907(a), (b), (d)	801	911	4702
667	838	7907(c)	802	912	4703
671	851	5581	803	913	4704
675	871	5502(b)	804	914	4705
			805	915	4706
701	910-1	6701	806	916	4707(a), (b)
702	910-2	6702	806.1	916.1	4707(c)
703	910-3	6711	806.2	916.2	4707(d)
704	910-4	6712	807	917	4708
705	910-5	6731	808	918	4709
706	910-6	6732	809	919	4710
707	910-7	6713	810	920	4711
708	910-8	omitted			
709	910-9	6714	901	931	2301, 2302(a)
710(a)	910-10(a)	omitted	902	932	2302(b)
710(b)	910-10(b)	6715(a)	903	933	2303
711	910-11	6715(b)	904	934	2304
712	910-12	6715(c)	905	935	2305
713	910-13	6711	906	936	2306
714	910-14	6733	907	937	2307
715	910-15	6734	908	938	2308
716	910-16	6735	909	939	2309
717	910-17	6736	910	940	2310
718	910-18	6737	911	941	2311(a)
719	910-19	6716	912	942	2311(b)
720	910-20	6717	913	943	2312(a)
721	910-21	6718	914	944	2312(b)
722	910-22	6719			
723	910-23	6720	1001	961	2101(a), 2102(a)
724	910-24	6721(a), (g)	1002	962	2102(b)
725	910-25	6721(b)	1003	963	2101(a), 2102(c)
726	910-26	6721(c)			
727	910-27	6721(d)	1004	964	2103
728	910-28	6721(e)	1005	965	2104
729	910-29	6721(f)	1006	966	2105(a)
730	910-30	6722(a)	1007	967	2105(b), 2106
731	910-31	6722(b)	1008	968	2107
732	910-32	6738	1009	969	2108
733	910-33	6739	1011	971	2109
734	910-34	6740			
735	910-35	6741	1921 P.L.789		
736	910-36	omitted	101	21	102
737	910-37	6751	102	22	short title
738	910-38	6752	103	23	302
739	910-39	6753	104	24	omitted
740	910-40	6754	105	25	omitted
741	910-41	6755	106	26	303
742	910-42	6756			
743	910-43	6757	201	41	501
744(a)	910-44(a)	6758	202	42	502

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1921 P.L.789 (cont.)			517	221.17	3934
205	43	503	518	221.18	3935
206	44	504	519	221.19	3941
207	45	505	520	221.20	3942
208	46	506	521	221.21	3943
209	47	507(a), (b), (d)	522	221.22	3944
209A	47a	507(c)	523	221.23	3945
211	49	508(a), 1103(c) 1132(c)	524	221.24	3946
211.1	49.1	509	525	221.25	3947
212	50	510	526	221.26	3948
213	51	511(a), (b)	527	221.27	3951
214	52	511(c)	528	221.28	3952
216	54	512	529	221.29	3953
218	56	513	530	221.30	3954
219	57	514	531	221.31	3955
220	58	omitted	532	221.32	3956
221	59	omitted	533	221.33	3957
222	60	508(b)	534	221.34	3958
			535	221.35	3959
			536	221.36	3960
			537	221.37	3961
301(a)	71(a)	701	538	221.38	3962
301(b)	71(b)	702	539	221.39	3963
301(c)	71(c)	703	540	221.40	3964
301(d)	71(d)	704	541	221.41	3965
301(e)	71(e)	705	542	221.42	3966
301(f)	71(f)	701	543	221.43	3967
301.1	71.1	706	544	221.44	3968
302	72	704	545	221.45	3969
303	73	707	546	221.46	3970
304	74	708	547	221.47	3971
305	75	709	548	221.48	3972
310	91	721(a)	549	221.49	3973
311	92	721(b)	550	221.50	3974
311.1	93	721(c)	551	221.51	3975
312	111	731	552	221.52	3976
313	112	732	553	221.53	3981
314	113	733	554	221.54	3982
315	114	733	555	221.55	3983
316	115	734	556	221.56	3984
321	131	742	557	221.57	3985
325	141	721(d)	558	221.58	3986
			559	221.59	3987
401	181	901	560	221.60	3988
402	182	902	561	221.61	3989
403	183	903	562	221.62	3990
404	184	904	563	221.63	omitted
			601	231	1101
501	221.1	3901	602	232	1102
502	221.2	3902	603	233	1103
503	221.3	3903	604	234	1104
504	221.4	3911	605	235	1105
505	221.5	3912	606	236	1106
506	221.6	3913	607	237	1107
507	221.7	3914	608	238	1108
508	221.8	3915	621	251	1131
509	221.9	omitted	622	252	1132
510	221.10	3921	623	253	1133, 1134
511	221.11	3922	626	256	1135
512	221.12	3923	631	271	1141
513	221.13	3924	633	273	1142
514	221.14	3931	633.1	273.1	1143
515	221.15	3932			
516	221.16	3933			

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1921 P.L.789 (cont.)			1933 P.L.364		
634	274	1144	4	15 P.S. 1004	3101(c)
635	275	1145	1933 P.L.987		
636	276	1146	1	117	741
637	277	1147	1933 P.L.1094		
638	278	1148	2	440a	1706(b)
639	279	1149(a), (b), (c)	1935 P.L.969		
640	280	1149(d)	1	405a	3351
641	281	1150	1937 P.L.774		
650	290	1161	1	512a	5330
651	291	1162	1937 P.L.1643		
652	292	1163	1A	1101A	4102(a)
653	293	1164	1B	1101B	omitted
654	294	1165	2	1102	4103
660	297.1	1191(a)	3	1103	4102(c), 4104
662	297.3	1191(b)	4	1104	4105
663	297.4	1191(c)	5	1105	4106
1921 P.L.1124			6	1106	4107
1	675	5933	7	1107	4108
2	676	5934	8	1108	4109
3	677	5935	9	1109	4110
1923 P.L.984			10	1110	4111
1	15 § 12501	4115(a)	11	1111	4112
2	15 § 12502	4115(b)	12A	1112A	4113
4	15 § 12503	4115(b)	12B	1112B	4114
1925 P.L.618			13	1113	4102(b)
1	765	omitted	15	1114	omitted
1929 P.L.794			1939 P.L.685		
1	430	3534	1	621.1	5391
2	431	3534	2	621.2	5392(a)-(c)
3	425	omitted	1945 P.L.587		
4	425 note	omitted	1	1001	3701(a)
1929 P.L.834			2	1002	3701(a)
1	151-158	751	3	1003	3701(b)
2	159	omitted	1945 P.L.828		
1931 P.L.566			1	484	omitted
1	160	752	2	485	omitted
2	161	753(a), (b), (c)	3	486	omitted
3	162	753(c)	4	487	omitted
4	163	753(d)	1947 P.L.538		
1931 P.L.574			1	1181	1901(b)
1	480	3588(a)	2	1182	1902(a), (c)
2	481	3588(b)	3	1183	1903
3	482	3588(a)	4	1184	1904
1931 P.L.622			5	1185	1905
1	483	3589	6	1186	1906
1931 P.L.844			7	1187	1907
1	535	5373	8	1188	1908
2	536	5373	9	1189	1909, 1910
3	537	omitted	10	1190	1911
4	538	omitted	11	1191	1912
			12	1192	1913
			13(a)	1193(a)	1914
			13(b)-(d)	1193(b)-(d)	omitted

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1947 P.L.538 (cont.)			1961 P.L.1232		
14	1194	1915	1	1007.1	6501(b), (c)
15	1195	1916	2(a)	1007.2(a)	6501(a), (d)
16	1196	1917	2(b)	1007.2(b)	6502
17	1197	1918	3	1007.3	6503
18	1198	omitted	4	1007.4	6504
19	1199	short title	5	1007.5	6505
1947 P.L.551			6	1007.6	6506
1	1221	1901(b)	7	1007.7	6507
2	1222	1902(b), (d)	8	1007.8	6508
3	1223	1903	9	1007.9	6509
4	1224	1904	10	1007.10	6510
5	1225	1905	11	1007.11	6511
6	1226	1906	12	1007.12	6512
7	1227	1907	13	1007.13	6513
8	1228	1908	14	1007.14	6514
9	1229	1909, 1910	15	1007.15	omitted
10	1230	1911	1963 P.L.909		
11	1231	1912	1	2000	omitted
12	1232	1913	1963 P.L.910		
13(a)	1233(a)	1914	1	553	5310(a), (c)
13(b)-(d)	1233(b)-(d)	omitted	2	554	omitted
13.1	1233.1	1704	1965 P.L.1247		
14	1234	1915	1	1501	omitted
15	1235	1917	2	1502	6916(b)
16	1236	1918	1965 P.L.1509		
17	1237	omitted	1	1006.1	1301
18	1238	short title	2	1006.2	1302
1949 P.L.1025			3	1006.3	1303
1	1261	1704(a)	4	1006.4	1304
2	1262	1704(a)	5	1006.5	1305
3	1263	1704(b)	6	1006.6	1306
4	1264	1704(c)	7	1006.7	1307
1949 P.L.1210			8	1006.8	1308
1	532.1	5361, 5362	9	1006.9	1309
2	532.2	5363	10	1006.10	1310
3	532.3	5365	11	1006.11	1311
4	532.4	5366	12	1006.12	1312
5	532.5	5364	13	1006.13	1313
6	532.6	5367	14	1006.14	1314
7	532.7	5368	15	1006.15	omitted
7.1	532.7a	5369	16	1006.16	1315
8	532.8	5370	17	1006.17	omitted
9	532.9	5371	1968 P.L.95		
1951 P.L.941			1	488.1	3590(a)
1	623.1	5393	2	488.2	3590(b)
2	623.2	5394, 5395	3	488.3	3590(a), (b)
3	623.3	5396(a)	4	488.4	3590(b)
4	623.4	5396(b)	5	488.5	3590(c)
5	623.5	5397	1968 P.L.140		
6	623.6	5396(c)	1	1008.1	6101, 6102(a), 6107
1951 P.L.1074			2	1008.2	6102(b)
1	539	5374(a)	3	1008.3	6103
2	540	5374(a), (b)	4	1008.4	6104
3	541	5374(c)	4.1	1008.4.1	6105
4	542	5374(d)	5	1008.5	6106
1959 P.L.2095					
1	621.3	5392(d)			

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1968 P.L.140 (cont.)			303	1701.303	8123
6	1008.6	6107	304	1701.304	8124
7	1008.7	6108(a), (b)	401	1701.401	8131(a), (b)
8	1008.8	6109	402	1701.402	omitted
9	1008.9	6110(a), (b), (c)	403	1701.403	8131(c)
10(a)	1008.10(a)	6110(d), 6111(a), (b)	501	1701.501	8141
10(b), (c)	1008.10(b), (c)	6111(c)	502	1701.502	8142
11(a)	1008.11(a)	6112	503	1701.503	8143
11(b)	1008.11(b)	omitted	601	1701.601	8104
11(c)	1008.11(c)	6108(c)	602	1701.602	8144
1968 P.L.738			603	1701.603	8105
101	1600.101	5701	604	1701.604	omitted
102	1600.102	5702	1970 P.L.884		
103	1600.103	5703	1	1010.1	3361
201	1600.201	5711(a)-(f)	2	1010.2	3362
202	1600.202	5712	3	1010.3	3363
203	1600.203	5713	4	1010.4	3364
204	1600.204	5714	5	1010.5	3365(a)
205	1600.205	5715	6	1010.6	3365(b)
206	1600.206	5716	7	1010.7	3366
207	1600.207	5717	8(a)	1010.8(a)	3367
208	1600.208	5718	8(b)	1010.8(b)	3367, 3368
301	1600.301	5721	9	1010.9	3369
302	1600.302	5722	10	1010.10	3369
303	1600.303	5723	11	1010.11	3370
304	1600.304	5724	12	1010.12	omitted
305	1600.305	5725	13	1010.13	3371
306	1600.306	5726	14	1010.14	3372
307	1600.307	5727	1971 P.L.313		
401	1600.401	5731	1	1511	6918
402	1600.402	5732	1972 P.L.1701		
403	1600.403	5733	1	1551	7301
404	1600.404	5734	2	1552	7302
405	1600.405	5734	3	1553	7303
501	1600.501	omitted	4	1554	7321
502	1600.502	5711(g), 5721	5.1	1555.1	7322(a), (b), (c)
1968 P.L.941			6.1	1556.1	7323
1	995.1	1701	7	1557	7328(a)
2	995.2	1702	8	1558	7326(a), (b)
3	995.3	1703	9	1559	7327
4	995.4	omitted	10(a)	1560(a)	7305(a)
1970 P.L.716			10(b)	1560(b)	7305(b)
101	1701.101	8101	10(c)	1560(c)	7324
102	1701.102	8102	10(d)	1560(d)	7328(b)
103	1701.103	8103	10(e)	1560(e)	7328(c)
201	1701.201	8111, 8112(a)	10(f)	1560(f)	7328(d)
202	1701.202	8112	11	1561	7325
203	1701.203	8113	12	1562	7326(c)
204	1701.204	8114	13	1563	7306
205	1701.205	8115	14	1564	7307
301	1701.301	8121	15	1565	7329
302	1701.302	8122	16	1566	7322(d)
			17	1567	7304

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1974 P.L.589			512	1301.512	7132(a)
1	1171.1	1501	513	1301.513	7132(b)
2	1171.2	1502	514	1301.514	7133
3	1171.3	1503			
4	1171.4	1504	601	1301.601	omitted
5	1171.5	1504	602	1301.602	7134
6	1171.6	1505	603	1301.603	7135
7	1171.7	1506	604	1301.604	7136
8	1171.8	1507(a)-(d)	605	1301.605	7143(e)
9	1171.9	1507(e)	606	1301.606	omitted
10	1171.10	1508			
11	1171.11	1509	701(a)	1301.701(a)	7141(a)-(d), (g)
13	1171.13	omitted	701(b)	1301.701(b)	7141(e)
14	1171.14	1510	701(c)	1301.701(c)	7141(f)
			701(d)	1301.701(d)	7103, 7142(a)
1974 P.L.804			701(e)	1301.701(e)	7142(a)-(f)
1	495.1	3702(e)	701(f)	1301.701(f)	7145
2	495.2	3702(a)	701(g)	1301.701(g)	7104
3	495.3	3702(b)	701(h)	1301.701(h)	7104
4	495.4	3702(c)	702	1301.702	7143(a)-(d), (f)
5	495.5	3702(d)			
			705	1301.705	7144
1975 P.L.157					
1	771	6917(a)	801	1301.801	7151
2	772	6917(b)	802	1301.802	7152
3	773	6917(c)	803	1301.803	7153
4	774	omitted	804	1301.804	7154(a)
			805	1301.805	7155
1975 P.L.390			806	1301.806	7156
101	1301.101	7101	807	1301.807	7157
102	1301.102	7102	808	1301.808	7154(b)
103	1301.103	7103, 7106	809	1301.809	7158
			810	1301.810	7159
201	1301.201	7105	811	1301.811	7160, 7161
301	1301.301	7111(a)	901	1301.901	7171
302	1301.302	7111(b)	902	1301.902	7172
303	1301.303	7112(a)	903	1301.903	7173
304(a)	1301.304(a)	7112(b)	904	1301.904	7174
304(b), (c)	1301.304(b), (c)	omitted	905	1301.905	7175
305	1301.305	7112(c)	907	1301.907	7176
306	1301.306	7112(d)	1001	1301.1001	7107
307	1301.307	7112(e), (f), (g)	1002	1301.1002	7108
			1003	1301.1003	omitted
308	1301.308	7113	1004	1301.1004	7181
309	1301.309	7121(a)	1005	1301.1005	omitted
			1006	1301.1006	7182
401	1301.401	7122	1007.1	--	omitted
402	1301.402	7123			
403	1301.403	7124(a)			
			1976 P.L.123		
501	1301.501	7124(b)	1	776.1	6941
502	1301.502	omitted	2	776.2	6901, 6902
503	1301.503	7125	3	776.3	6942
504	1301.504	7125	4	776.4	6943
505	1301.505	7124(c)	5	776.5	6944
506	1301.506	7126	6	776.6	6945
507	1301.507	7127	7	776.7	6946
508	1301.508	7128, 7129			
509	1301.509	7130(a)			
510	1301.510	7130(b)	1977 P.L.105		
511(a)	1301.511(a)	7131	101	1141-101	4501
511(b)	1301.511(b)	omitted	102	1141-102	4502
			103	1141-103	omitted
			104	1141-104	4503

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1977 P.L.105 (cont.)					
201	1141-201	4511	521	1141-521	4564(e)-(g)
202	1141-202	4512	522	1141-522	4565
203	1141-203	4513	523	1141-523	4563(b)
204	1141-204	4514	524	1141-524	4566
205	1141-205	4515	525	1141-525	4567
206	1141-206	4516	526	1141-526	4563(c)
207	1141-207	4517	527	1141-527	4563(d)
208	1141-208	4518	528	1141-528	4568(a)
209	1141-209	4519	529	1141-529	4569(a)
210	1141-210	4520	530	1141-530	4569(b)
211	1141-211	omitted	531	1141-531	4568(b)
212	1141-212	4521	601	1141-601	4571
213	1141-213	4522	602	1141-602	4572
214	1141-214	4523	603	1141-603	4573
215	1141-215	4524	604	1141-604	4574
216	1141-216	4525	605	1141-605	4575
217	1141-217	4526	607	1141-607	4576
218	1141-218	4527			
219	1141-219	4528	701	1141-701	4577(h)
220	1141-220	4529	702	1141-702	4577(a)
			703	1141-703	4577(b)
301	1141-301	4531	704	1141-704	4577(c)
302	1141-302	4532	705	1141-705	4577(d)
303	1141-303	4533	706	1141-706	4577(e)
304	1141-304	4534	707	1141-707	4577(f)
305	1141-305	4535	708	1141-708	4577(g)
306	1141-306	4536			
			801	1141-801	4581
401	1141-401	4541	802	1141-802	4582(a)
402	1141-402	4542(a)	802.1	1141-802a	4582(b)
403	1141-403	4543	803	1141-803	4583(a)
404	1141-404	4544(b)	804	1141-804	4583(b)
405	1141-405	4544(c)	805	1141-805	4583(c)
406	1141-406	4545	806	1141-806	4584
407	1141-407	4546	807	1141-807	4585
408	1141-408	4544(d)	808	1141-808	4586
409	1141-409	4547	809	1141-809	4587(a)-(c)
410	1141-410	4544(a)	810	1141-810	4587(d)
411	1141-411	4548	811	1141-811	4588
412	1141-412	4549	812	1141-812	4583(d)
413	1141-413	4542(b)	813	1141-813	4589(d)
			814	1141-814	4589(a)
501	1141-501	omitted	815	1141-815	4589(b)
502	1141-502	4551	816	1141-816	4589(c)
503	1141-503	4552	817	1141-817	4590
504	1141-504	4553	818	1141-818	4591
505	1141-505	4554			
506	1141-506	4555	901	1141-901	4504
507	1141-507	4556	902	1141-902	4503
508	1141-508	4557	903	1141-903	4505(a)-(e)
509	1141-509	4558(a)-(c)	904	1141-904	4592
510	1141-510	4558(d)	905	1141-905	4505(f), 7502
511	1141-511	4558(e)			
512	1141-512	4559(c)	1978 P.L.33		
513	1141-513	4559(a), (b)	1	767	6901, 6916(a)
514	1141-514	4558(f)	2	768	6916(a)
515	1141-515	4560	3	769	6916(a)
516	1141-516	4561			
517	1141-517	4562	1978 P.L.763		
518	1141-518	4563(a)	1	241	1121
519	1141-519	4564(a)	2	242	1122
520	1141-520	4564(b)-(d)	3	243	1123

Pa. Statutes	Purdon's	Insurance Code	Pa. Statutes	Purdon's	Insurance Code
1978 P.L.763 (cont.)			3	1843	5583(b), (c)
4	244	1124	4	1844	5583(c), (d)
5	245	1125	1981 P.L.94		
6	246	omitted	2	382 note	3302(d)
1978 P.L.1188			1981 P.L.583		
1	1801	8301	1	3001	6901, 6919(a)
2	1802	8302	2	3002	6919(b)
3	1803	8303	3	3003	omitted
4	1804	8304	1982 P.L.815		
5	1805	8311(a), (b)	1	1615.1	5561
6	1806	8312	2	1615.2	5562
7(a)	1807(a)	8313(a)	3	1615.3	5563
7(b)	1807(b)	8313(b)	4	1615.4	5564
7(c)	1807(c)	8313(b)	5	1615.5	5565(a), (b), (d)
7(d)	1807(d)	8313(c)	6	1615.6	5566
7(e)	1807(e)	8313(d)	7	1615.7	5565(c), 5567
7(f)	1807(f)	8313(e)	8	1615.8	5568
7(g)	1807(g)	8313(f)	9	1615.9	5569
7(h)	1807(h)	8342(a)	10	1615.10	5570
7(i)	1807(i)	8313(g)	11	1615.11	5571
7(j)	1807(j)	8313(g)	1982 P.L.1291		
7(k)	1807(k)	8313(h)	1	3101	6951
8	1808	8321(a)-(g), (i)	2	3102	6952
9	1809	8314	3	3103	6953
10	1810	8331(a)-(c)	4	3104	6954
11	1811	8341	5	3105	6955
12	1812	8322	6	3106	6956
13(a)	1813(a)	8321(h)	7	3107	6952, 6957
13(b)	1813(b)	8311(c)	8	3108	6958
13(c)	1813(c)	8342(b)	9	3109	6959
13(d)	1813(d)	8342(c), (d)	10	3110	6960
13(e)	1813(e)	8342(e)	11	3111	6961
14	1814	8311(a), 8313(i)	1983 P.L.260		
15	1815	8315	1	63 P.S. 1601	1171
16	1816	8305	2	63 P.S. 1602	1172
17	1817	8343	3	63 P.S. 1603	1173
18	1818	8306	4	63 P.S. 1604	1174
19	1819	8344	5	63 P.S. 1605	1175
20	1820	8345	6	63 P.S. 1606	1176
21	1821	8323	7	63 P.S. 1607	1177
22	1822	8324	8(a)	63 P.S. 1608(a)	omitted
23	1823	8331(d)	8(b), (c)	63 P.S. 1608 (b), (c)	1191
24	1824	omitted	10	--	omitted
1980 P.L.340			1984 P.L.391		
1	1610.1	5551	1	3201	7401
2	1610.2	5552	2	3202	7402, 7403
3	1610.3	5553	3	3203	7403
4	1610.4	5554	4	3204	7404
5	1610.5	5555	5	3205	7405
6	1610.6	5556	6	3206	7406
7	1610.7	5557	7	3207	7407
8	1610.8	5558	8	3208	7408
9	1610.1 note	omitted	9	3209	7409
1980 P.L.1177			10	3210	7410
1	1841	5583(a)	11	3211	7411
2	1842	5583(d)			

40 Pa.C.S.	Insurance Code	75 Pa.C.S.	Insurance Code
6566	4365	1751	6351
6567	4366	1752	6352
		1753	6353
6571	4371	1754	6354
6572	4372	1755	6355
6573	4373(a)	1756	6356
6574	4374	1757	6357
6575	4373(b)		
6576	4375	1761	6361
		1762	6362
6701	4381	1763	6363
		1764	6364
		1765	6365
		1766	6366
		1767	6367
		1768	6368
		1769	6369(a)*
75 Pa.C.S.	Insurance Code		
1701	6301	1771	6371
1702	6302	1772	6372
1703	6303	1773	6373
1704	6304	1774	6374
		1775	6375
1711	6311		
1712	6312	1781	6381
1713	6313	1782	6382
1714	6314	1783	6383
1715	6315	1784	6384
1716	6316	1785	6385
1717	6317	1786	6386
1718	6318	1787	6387
1719	6319		
1720	6320	1791	6391
1721	6321	1792	6392
1722	6322	1793	6393
1723	6323	1794	6394
		1795	6395
1731	6331	1796	6396
1732	6332	1797	6397
1733	6333	1798	6398
1734	6334		
1735	6335		
1736	6336		
1741	6341		
1742	6342		
1743	6343		
1744	6344		

*Section 6369(b) corresponds to section 7(b) of the act of February 12, 1984 (P.L.26, No.11).

OMITTED SECTIONS

Pa. Statutes	Purdon's	Pa. Statutes	Purdon's
<u>1850 P.L.126</u>		<u>1921 P.L.789</u>	
3	469	104	24
This section is supplied by applicable law relating to civil procedure.		This section is supplied by 1 Pa.C.S. § 1925.	
<u>1921 P.L.682</u>		105	25
108	368	This section is supplied by 1 Pa.C.S. §§ 1961, 1962, 1976 and 1977.	
This section is supplied by 1 Pa.C.S. §§ 1961, 1962, 1976 and 1977.		220	58
109	369	This section is omitted as obsolete. See 1927 P.L.848.	
This section is supplied by 1 Pa.C.S. § 1925.		221	59
343	465	This section is omitted as obsolete.	
This section is supplied by 1 Pa.C.S. § 1976.		509	221.9
349	474	This section is omitted as transitional.	
This section is supplied by 18 Pa.C.S. §§ 3922 and 4114.		563	221.63
618(F)	753(F)	This section is supplied by 1 Pa.C.S. § 1925.	
This subsection is supplied by Insurance Code § 304.		<u>1925 P.L.618</u>	
647	792	1	765
This section is supplied by 18 Pa.C.S. § 4903.		This section is omitted as obsolete.	
708	910-8	<u>1929 P.L.794</u>	
This section is supplied by Insurance Code §§ 6701 ("title insurance") and 6711.		3	425
736	910-36	This section is supplied by Code § 3531.	
This section is omitted as transitional.		4	425 note
750	910-50	This section is omitted as unnecessary.	
This section is supplied by 1 Pa.C.S. § 1976.		<u>1929 P.L.834</u>	
		2	159
		This section is omitted as obsolete. See section 221 of 1921 P.L.789 (40 P.S. § 59).	

Pa. Statutes	Purdon's	Pa. Statutes	Purdon's
<u>1931 P.L.844</u>		<u>1965 P.L.1247</u>	
3	537	1	1501
This section is supplied by 1 Pa.C.S. § 1925.		Paragraph (1) is supplied by Code § 6901 ("policy"). Paragraphs (2) and (3) are omitted as unnecessary.	
4	538	<u>1965 P.L.1509</u>	
This section is omitted as unnecessary.		15	1006.15
<u>1937 P.L.1643</u>		This section is supplied by Code § 304.	
15	1114	17	1006.17
This section is supplied by 1 Pa.C.S. § 1925.		This section is supplied by 1 Pa.C.S. § 1925.	
<u>1945 P.L.828</u>		<u>1968 P.L.738</u>	
1-4	484-487	501	1600.501
These sections are omitted as unnecessary.		This section is supplied by 1 Pa.C.S. § 1925.	
<u>1947 P.L.538</u>		<u>1968 P.L.941</u>	
18	1198	4	995.4
This section is supplied by 1 Pa.C.S. § 1925.		This section is supplied by Code § 304.	
<u>1947 P.L.551</u>		<u>1970 P.L.716</u>	
17	1237	402	1701.402
This section is supplied by 1 Pa.C.S. § 1925.		This section is omitted as unnecessary.	
<u>1961 P.L.1232</u>		604	1701.604
15	1007.15	This section is supplied by 1 Pa.C.S. § 1925.	
This section is supplied by 1 Pa.C.S. § 1925.		<u>1970 P.L.884</u>	
<u>1963 P.L.909</u>		12	1010.12
1	2000	This section is supplied by Code § 304.	
This section is supplied by Code §§ 6331-6336.		<u>1974 P.L.589</u>	
<u>1963 P.L.910</u>		13	1171.13
2	554	This section is omitted as unnecessary.	
This section is supplied by 1 Pa.C.S. §§ 1961, 1962 and 1976.			

Pa. Statutes	Purdon's	Pa. Statutes	Purdon's
<u>1975 P.L.157</u>			
4	774	501	1141-501
This section is omitted as transitional.		This section is supplied by Code § 304.	
<u>1975 P.L.390</u>		<u>1978 P.L.763</u>	
304(b) and (c)	1301.304(b) and (c)	6	246
These subsections have been repealed by 1981 P.L.143.		This section is supplied by Code § 304.	
502	1301.502	<u>1978 P.L.1188</u>	
This section is omitted as inconsistent with <u>Heller v. Frankston</u> , 504 Pa. 528 (1984).		24	1824
		This section is supplied by 1 Pa.C.S. § 1925.	
601	1301.601	<u>1980 P.L.340</u>	
This section is omitted as inconsistent with <u>Heller v. Frankston</u> , 504 Pa. 528 (1984).		9	1610.1 note
		This section is omitted as transitional.	
606	1301.606	<u>1981 P.L.583</u>	
This section is omitted as unnecessary.		3	3003
		This section is supplied by Code § 304.	
1003	1301.1003	<u>1983 P.L.260</u>	
This section is supplied by 1 Pa.C.S. § 1926.		10	63 P.S. 1601 note
		This section is supplied by 1 Pa.C.S. § 1925.	
1005	1301.1005	<u>1984 P.L.391</u>	
This section is omitted as inconsistent with <u>Heller v. Frankston</u> , 504 Pa. 528 (1984).		25	3225
1007.1	--	The first sentence of this section is supplied by Code § 304. The second sentence is omitted as transitional.	
This section is supplied by 1 Pa.C.S. § 1925.		<u>1984 P.L.1182</u>	
<u>1977 P.L.105</u>		14	3314
103	1141-103	This section is supplied by Code § 304.	
This section is supplied by 1 Pa.C.S. § 1925.			
211	1141-211		
This section is supplied by 1 Pa.C.S. § 1976.			