

## Session 107 - (1987-1988)

### H 2125 General Bill, By D.L. Aydlette

A Bill to amend the Code of Laws of South Carolina, 1976, by adding Section 38-37-535 so as to provide for the filing of rates by automobile insurers and rating organizations which are calculated upon the experience generated by risks in the insurer's voluntary book of business; to amend Section 38-37-930, relating to the prohibition against affiliated automobile insurers making rules in regard to writing certain insured risks, so as to require members of a group of affiliated automobile insurers to have two different rates for automobile insurance and to require that any eligible risk must be placed with the member of this affiliated group having the lower rate for automobile insurance, unless the eligible risk fails certain objective standards; to amend the 1976 Code by adding Sections 38-37-560 and 38-37-570 so as to require private passenger automobile insurance insurers and rate service organizations to file with the Insurance Commissioner proposed rates or premium charges and to provide that these proposed rates and charges are considered approved for use if they meet certain requirements and to prohibit the increase of rates within a twelve-month period; to amend Sections 56-9-810, 56-9-820, 56-9-830, and 56-9-831, relating to uninsured and underinsured motorist provisions and to the general requirements of motor vehicle liability insurance policies, so as to define underinsured motor vehicle, increase from fifteen to twenty-five thousand dollars the minimum required coverage against liability because of bodily injury to or death of any one person in any one accident, increase from thirty to fifty thousand dollars the minimum required coverage against liability because of bodily injury to or death of two or more persons in any one accident, increase from five to twenty-five thousand dollars the minimum required coverage because of injury to or destruction of property of others in any one accident, require automobile insurers to offer higher maximum limits of uninsured and underinsured motorist coverage, provide for the maximum liability of an insurer under the underinsured motorist coverage, to limit benefits to either uninsured or underinsured coverage, and provide that benefits paid under these coverages are not subject to subrogation and assignment; to amend Section 38-37-10, relating to definitions, so as to delete the definition of "facility" and define "full coverage"; to amend Section 38-11-480, relating to the payment of dividends by a domestic mutual insurer, so as to require the payment of dividends to members when profit exceeds minimum required surplus; to provide that an insurance agent receive the same commission or bonus for writing insurance which is either below the filed rate or above the filed rate; and to repeal Article 9 of Chapter 37 of Title 38 relating to the Automobile Insurer Reinsurance Facility.

**01/13/87 House Introduced and read first time HJ-63**

**01/13/87 House Referred to Committee on Labor, Commerce and Industry HJ-65**

**05/12/87 House Tabled in committee**