

## Session 115 - (2003-2004)

### **S\*0686 (Rat #0390, Act #0290 of 2004) General Bill, By Thomas and Alexander**

**Summary:** Property and Casualty Insurance Personal Lines Modernization Act

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 73, TITLE 38 SO AS TO ENACT THE "PROPERTY AND CASUALTY INSURANCE PERSONAL LINES MODERNIZATION ACT", SO AS TO CHANGE THE RATE APPROVAL PROCESS REGARDING PROPERTY AND CASUALTY INSURANCE FILINGS, TO AUTHORIZE THE CONSUMER ADVOCATE TO HAVE ACCESS TO CERTAIN FILINGS, INCLUDING A RESPONSE BY THE DEPARTMENT OF CONSUMER ADVOCATE TO THE DEPARTMENT OF INSURANCE CONTAINING ITS OPINION ON THE FILING, AND MAY APPEAL THE DECISION OF THE DEPARTMENT TO THE ADMINISTRATIVE LAW JUDGE DIVISION, AND TO REQUIRE THE DIRECTOR OF THE DEPARTMENT TO UTILIZE OR DEVELOP A CONSUMER INFORMATION SYSTEM TO DISSEMINATE CERTAIN INFORMATION TO PURCHASERS OF HOMEOWNERS, PRIVATE PASSENGER NONFLEET AUTOMOBILE, OR PROPERTY INSURANCE FOR PERSONAL, FAMILY, OR HOUSEHOLD NEEDS; BY ADDING ARTICLE 13 TO CHAPTER 75, TITLE 38 SO AS TO PROVIDE REGULATION OF PROPERTY INSURANCE, CANCELLATION AND NONRENEWALS, TO ENSURE THAT RATES ARE NOT EXCESSIVE, INADEQUATE, OR UNFAIRLY DISCRIMINATORY, TO AUTHORIZE THE REGULATION OF COOPERATIVE ACTION AMONG INSURERS IN RATEMAKING, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO EVALUATE NATURAL HAZARD CATASTROPHE MODELS THAT ARE USED FOR RATE FILINGS; TO AMEND SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS USED IN TITLE 38 PERTAINING TO INSURANCE, SO AS TO ADD THE DEFINITIONS OF "INSURANCE-SUPPORT ORGANIZATION" AND "MODELING ORGANIZATION"; TO AMEND SECTION 38-73-910, RELATING TO CONDITIONS UNDER WHICH INSURANCE PREMIUMS MAY BE RAISED, SO AS TO DELETE FIRE, ALLIED LINES, AND HOMEOWNERS' INSURANCE FROM THIS REQUIREMENT, AND TO DELETE A PROVISION AUTHORIZING A PRIVATE INSURER TO UNDERWRITE CERTAIN ESSENTIAL PROPERTY INSURANCE AND TO FILE FOR RATE INCREASE UNDER CERTAIN CIRCUMSTANCES; AND BY ADDING SECTIONS 38-73-325 AND 38-73-425 SO AS TO PROVIDE THAT THE ABSENCE OF CREDIT INFORMATION FOR FIRE AND ALLIED LINES AND INLAND MARINE INSURANCE AND AUTOMOBILE INSURANCE MAY BE USED BY AN INSURER FOR UNDERWRITING PURPOSES IF THE INSURER PRESENTS INFORMATION SATISFACTORY TO THE DIRECTOR THAT THE ABSENCE IS RELATED TO THE RISK. - ratified title

<b>05/07/03</b>	<b>Senate</b>	<b>Introduced and read first time SJ-5</b>
<b>05/07/03</b>	<b>Senate</b>	<b>Referred to Committee on Banking and Insurance SJ-5</b>
<b>01/29/04</b>	<b>Senate</b>	<b>Committee report: Favorable with amendment Banking and Insurance SJ-10</b>
<b>01/30/04</b>		<b>Scrivener's error corrected</b>
<b>04/20/04</b>	<b>Senate</b>	<b>Amended SJ-19</b>
<b>04/20/04</b>	<b>Senate</b>	<b>Read second time SJ-19</b>
<b>04/20/04</b>	<b>Senate</b>	<b>Ordered to third reading with notice of amendments SJ-19</b>
<b>04/22/04</b>		<b>Scrivener's error corrected</b>
<b>04/28/04</b>	<b>Senate</b>	<b>Amended SJ-50</b>
<b>04/28/04</b>	<b>Senate</b>	<b>Read third time and sent to House SJ-50</b>
<b>04/28/04</b>		<b>Scrivener's error corrected</b>
<b>04/29/04</b>	<b>House</b>	<b>Introduced and read first time HJ-6</b>
<b>04/29/04</b>	<b>House</b>	<b>Referred to Committee on Labor, Commerce and Industry HJ-6</b>
<b>05/19/04</b>	<b>House</b>	<b>Committee report: Favorable with amendment Labor, Commerce and Industry HJ-4</b>
<b>05/25/04</b>		<b>Scrivener's error corrected</b>
<b>05/25/04</b>	<b>House</b>	<b>Debate adjourned until Wednesday, May 26, 2004 HJ-37</b>
<b>05/26/04</b>	<b>House</b>	<b>Amended HJ-24</b>
<b>05/26/04</b>	<b>House</b>	<b>Read second time HJ-43</b>
<b>05/27/04</b>	<b>House</b>	<b>Read third time and returned to Senate with amendments</b>
<b>05/27/04</b>		<b>Scrivener's error corrected</b>
<b>06/02/04</b>	<b>Senate</b>	<b>Concurred in House amendment and enrolled SJ-43</b>
<b>06/03/04</b>		<b>Ratified R 390</b>
<b>07/29/04</b>		<b>Signed By Governor</b>
<b>08/05/04</b>		<b>Copies available</b>
<b>08/05/04</b>		<b>Effective date See Act for Effective Date</b>
<b>08/16/04</b>		<b>Act No. 290</b>