

By: Kirby

To: Insurance

SENATE BILL NO. 2121

1 AN ACT TO AMEND SECTION 83-5-27, MISSISSIPPI CODE OF 1972, TO
2 ALLOW PREFERRED INSURANCE RATES OR PREMIUMS BASED UPON FICTITIOUS
3 GROUPING IF THE PREFERRED RATES OR PREMIUMS ARE ACTUARIALLY
4 JUSTIFIED AND APPROVED BY THE COMMISSIONER OF INSURANCE; AND FOR
5 RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 SECTION 1. Section 83-5-27, Mississippi Code of 1972, is
8 amended as follows:[JMR1]

9 83-5-27. No stock, mutual, reciprocal, or other insurer
10 shall make available to any resident or group of residents of this
11 state, through any rating plan or form, fire, inland marine,
12 casualty or surety insurance, or type or combination thereof,
13 whether by master policy, series of policies, certificates of
14 insurance, or otherwise, to any person, firm, corporation, or
15 association of individuals, any preferred rate or premium based
16 upon any fictitious grouping of such person, firm, corporation, or
17 association of individuals, which fictitious grouping is hereby
18 defined and declared to be any grouping by way of membership,
19 license, franchise, agreement, or any other method or means
20 created for the sole/primary purpose of procuring insurance or
21 insurance benefits; provided, however, that the foregoing shall
22 not apply to life, accident, health, and hospitalization

23 insurance. Additionally, the foregoing shall not apply if such
24 preferred rate or premium is actuarially justified and approved by
25 the commissioner.

26 SECTION 2. This act shall take effect and be in force from
27 and after its passage.