

By: Representatives Stevens, Barbour, Chism,  
Formby, Ketchings, Masterson

To: Insurance

HOUSE BILL NO. 645

1 AN ACT TO AMEND SECTION 83-37-31, MISSISSIPPI CODE OF 1972,  
2 TO ALLOW THE COMMISSIONER OF INSURANCE TO PLACE A BURIAL  
3 ASSOCIATION IN RECEIVERSHIP IF THE ASSOCIATION FAILS TO COMPLY  
4 WITH CERTAIN LICENSING PROVISIONS; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 83-37-31, Mississippi Code of 1972, is  
7 amended as follows:

8 83-37-31. Should the insurance commissioner find that any  
9 person, firm, association, or corporation engaged in the business  
10 herein described has refused to pay any just claim or demand based  
11 on the contracts, or that he or they be unable to pay same after  
12 the claim or demand has been legally determined to be just and  
13 outstanding, or fail to comply with any of the licensing  
14 provisions of this chapter, the commissioner shall notify the  
15 Attorney General. The Attorney General shall apply to the  
16 chancery court for a receivership to wind up the business of such  
17 person, firm, association, or corporation, shall represent the  
18 interest of all claimants under such contracts, and shall have a  
19 right of action for the use and benefit of the claimants against  
20 the bond or security herein required for the full amount of all  
21 such claims, together with all necessary costs of such  
22 receivership.

23 SECTION 2. This act shall take effect and be in force from  
24 and after July 1, 2001.