

By: Senator(s) Kirby

To: Insurance

## SENATE BILL NO. 2563

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:

9 83-5-27. No stock, mutual, reciprocal or other insurer shall  
10 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 insurance.  
23 Additionally, the foregoing shall not apply if such preferred rate  
24 or premium is actuarially justified and approved by the  
25 commissioner.

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

