

By: Kirby

To: Insurance

SENATE BILL NO. 2123

1 AN ACT TO AMEND SECTION 83-2-19, MISSISSIPPI CODE OF 1972, TO
2 DELETE THE PROVISION REQUIRING THE COMMISSIONER OF INSURANCE TO
3 ANNUALLY COMPILE THE REPORTS OF LOSS AND EXPENSE EXPERIENCE FILED
4 BY PROPERTY AND CASUALTY INSURERS; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 83-2-19, Mississippi Code of 1972, is
7 amended as follows:[JMR1]

8 83-2-19. (1) The commissioner shall require each insurer
9 licensed to write property or casualty insurance in this state to
10 record and report its loss and expense experience and other data
11 and to submit a report, on a form furnished by the commissioner,
12 showing its direct writings in this state and the United States,
13 unless an insurer, for good causes submitted in writing to the
14 commissioner and approved by the commissioner, shall be exempted
15 for any given year.

16 (2) Such report required by subsection (1) of this section
17 shall include, but not be limited to, the following types of
18 insurance written by such insurer:

- 19 (a) Motor vehicle bodily injury liability insurance;
- 20 (b) Products liability insurance;
- 21 (c) Medical malpractice insurance;
- 22 (d) Attorneys' malpractice insurance;
- 23 (e) Architects and engineers malpractice insurance;
- 24 (f) Motor vehicle property liability insurance;
- 25 (g) Motor vehicle medical payment insurance;
- 26 (h) Uninsured motorist insurance; and
- 27 (i) Underinsured motorist insurance.

28 (3) Such report shall include the following data by the type
29 of insurance for the previous year ending on December 31:

30 (a) Direct premiums written;

31 (b) Direct premiums earned;

32 (c) Net investment income, including net realized
33 capital gains and losses, using appropriate estimates where
34 necessary;

35 (d) Incurred claims, developed as the sum of the
36 following:

37 (i) Dollar amount of claims closed with payment;
38 plus

39 (ii) Reserves for reported claims at the end of
40 the current year; minus

41 (iii) Reserves for reported claims at the end of
42 the previous year; plus

43 (iv) Reserves for incurred but not reported claims
44 at the end of the current year; minus

45 (v) Reserves for incurred but not reported claims
46 at the end of the previous year; plus

47 (vi) Reserves for loss adjustment expense at the
48 end of the current year; minus

49 (vii) Reserves for loss adjustment expense at the
50 end of the previous year;

51 (e) Actual incurred expenses allocated separately to
52 loss adjustment, commissions, other acquisition costs,
53 advertising, general office expenses, taxes, licenses and fees,
54 and all other expenses;

55 (f) Net underwriting gain or loss;

56 (g) Net operation gain or loss, including net
57 investment income;

58 (h) The number and dollar amount of claims closed with
59 payment, by year incurred, and the amount reserved for them;

60 (i) The number of claims closed without payment and the

61 dollar amount reserved for those claims; and

62 (j) Any other information requested by the
63 commissioner.

64 (4) The first year only in which the insurer is required to
65 file this supplemental report, the data required by subsection
66 (3)(a) through (g) of this section shall include the previous
67 calendar year.

68 * * *

69 (5) An insurer shall not be required to record or report its
70 experience on a classification basis inconsistent with its own
71 rating system; provided, however, that for Workers' Compensation
72 Insurance, all insurers shall use the classification system,
73 rates, rules, forms and statistical plan of the rate service
74 organization designated by the commissioner.

75 SECTION 2. This act shall take effect and be in force from
76 and after July 1, 2000.