

HOUSE BILL No. 4334

February 17, 2005, Introduced by Reps. Leland, Cushingberry, Accavitti, Clack, Tobocman, Hunter, Murphy, Gillard, Hood, Alma Smith, Plakas, Bieda, Miller, Gonzales, Farrah, Adamini, McConico, Zelenko, Virgil Smith and Lemmons, III and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
by amending section 2110a (MCL 500.2110a), as added by 1996 PA 514,
and by adding section 2402a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2110a. (1) ~~If~~ **EXCEPT AS OTHERWISE PROVIDED IN**
2 **SUBSECTION (2), IF** uniformly applied to all its insureds, an
3 insurer may establish and maintain a premium discount plan
4 utilizing factors in addition to those permitted by section 2111
5 for insurance if the plan is consistent with the purposes of this
6 act and reflects reasonably anticipated reductions in losses or
7 expenses. This section does not affect benefits or obligations

1 required under chapter 31. Nothing in this section authorizes an
2 insurer to offer or prohibits an insurer from offering premium
3 discount plans concerning any of the following:

4 (a) Health care services, health care providers, or health
5 care facilities.

6 (b) Automobile repair providers.

7 (c) Materials used in the repair of an automobile.

8 (2) AN INSURER SHALL NOT ESTABLISH OR MAINTAIN A PREMIUM
9 DISCOUNT PLAN BASED IN WHOLE OR IN PART UPON AN APPLICANT'S OR
10 INSURED'S CREDIT HISTORY OR LACK OF CREDIT HISTORY.

11 SEC. 2402A. HOME OR AUTOMOBILE INSURANCE WRITTEN ON A GROUP,
12 FRANCHISE, BLANKET POLICY, OR SIMILAR BASIS SHALL NOT BE RATED, IN
13 WHOLE OR IN PART, UPON A GROUP MEMBER'S CREDIT HISTORY OR LACK OF
14 CREDIT HISTORY OR UPON THE CREDIT HISTORY OR LACK OF CREDIT HISTORY
15 OF THE GROUP AS A WHOLE.