

HOUSE BILL No. 4596

April 28, 2011, Introduced by Reps. Howze, Opsommer, Glardon, Liss, Stallworth, Talabi, Kandreas, Townsend, Irwin, Ouimet, Melton, Cavanagh, Brunner, Stapleton, Ananich, Geiss, Hobbs, Darany, Roy Schmidt, Olumba, Durhal, Stanley, Wayne Schmidt, Hooker, LeBlanc, MacMaster, Jackson, Smiley, Yonker, Scott, Potvin and Segal and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 2157.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2157. IF IT IS DETERMINED THROUGH THE DISPUTE RESOLUTION
2 PROCESS SET FORTH IN 15 USC 1681I(A) THAT THE CREDIT INFORMATION OF
3 A CURRENT INSURED WAS INCORRECT OR INCOMPLETE AND IF THE INSURER
4 RECEIVES NOTICE OF THIS DETERMINATION FROM EITHER THE CONSUMER
5 REPORTING AGENCY OR FROM THE INSURED, THE INSURER SHALL REEVALUATE
6 THE INSURED WITHIN 30 DAYS OF RECEIVING THE NOTICE. AFTER
7 REEVALUATING THE INSURED, THE INSURER SHALL MAKE ANY ADJUSTMENTS
8 NECESSARY, CONSISTENT WITH THIS ACT AND THE INSURER'S UNDERWRITING,
9 RATING GUIDELINES, AND PREMIUM DISCOUNT PLAN. IF AN INSURER
10 DETERMINES THAT THE INSURED HAS OVERPAID PREMIUM, THE INSURER SHALL

1 REFUND TO THE INSURED THE AMOUNT OF OVERPAYMENT CALCULATED BACK TO
2 THE SHORTER OF EITHER THE LAST 12 MONTHS OF COVERAGE OR THE ACTUAL
3 POLICY PERIOD.

4 Enacting section 1. This amendatory act does not take effect
5 unless all of the following bills of the 96th Legislature are
6 enacted into law:

7 (a) Senate Bill No.____ or House Bill No. 4593(request no.
8 01364'11).

9 (b) Senate Bill No.____ or House Bill No. 4594(request no.
10 02441'11).

11 (c) Senate Bill No.____ or House Bill No. 4595(request no.
12 02442'11).