

HOUSE BILL No. 4116

January 29, 2015, Introduced by Reps. Talabi, Sarah Roberts, Banks, Chang, Rutledge, Faris, Byrd, Gay-Dagnogo, Robinson, Hovey-Wright, Chirkun, Plawecki, Santana and Durhal 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 2132.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2132. (1) IF THE DIRECTOR DETERMINES THAT AN INSURER HAS
2 OVERCHARGED THE PREMIUM FOR AN AUTOMOBILE INSURANCE POLICY, THE
3 DIRECTOR MAY ORDER THE INSURER TO REFUND THE AMOUNT OF THE
4 OVERCHARGE TO THE INSURED.

5 (2) AN INSURED MAY BRING A CIVIL ACTION AGAINST AN INSURER TO
6 RECOVER THE AMOUNT OF AN OVERCHARGE DESCRIBED IN SUBSECTION (1). AN
7 ACTION UNDER THIS SUBSECTION MAY BE BROUGHT BY THE INSURED
8 REGARDLESS OF WHETHER THE DIRECTOR HAS MADE A DETERMINATION OR
9 ISSUED AN ORDER UNDER SUBSECTION (1).