

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2115 Session of 2015

INTRODUCED BY QUINN, PICKETT, DeLUCA, J. HARRIS, V. BROWN, CALTAGIRONE, FARRY, PHILLIPS-HILL, KOTIK, MILLARD, MURT, READSHAW, WARD, WATSON AND ZIMMERMAN, MAY 27, 2016

REFERRED TO COMMITTEE ON INSURANCE, MAY 27, 2016

AN ACT

1 Amending the act of May 17, 1921 (P.L.789, No.285), entitled, as
 2 amended, "An act relating to insurance; establishing an
 3 insurance department; and amending, revising, and
 4 consolidating the law relating to the licensing,
 5 qualification, regulation, examination, suspension, and
 6 dissolution of insurance companies, Lloyds associations,
 7 reciprocal and inter-insurance exchanges, and certain
 8 societies and orders, the examination and regulation of fire
 9 insurance rating bureaus, and the licensing and regulation of
 10 insurance agents and brokers; the service of legal process
 11 upon foreign insurance companies, associations or exchanges;
 12 providing penalties, and repealing existing laws," in
 13 Insurance Department, providing for life insurance database.

14 The General Assembly of the Commonwealth of Pennsylvania
 15 hereby enacts as follows:

16 Section 1. The act of May 17, 1921 (P.L.789, No.285), known
 17 as The Insurance Department Act of 1921, is amended by adding a
 18 section to read:

19 Section 207A. Life Insurance Database.--(a) The Insurance
 20 Department shall maintain an electronic database of contact
 21 information for each life insurer that has life insurance
 22 policies in force in this Commonwealth.

23 (b) Beginning on January 1, 2016, any member of the family

1 who has requested and obtained a copy of the decedent's death
2 certificate, executor or administrator of a decedent, who is
3 searching for life insurance policies covering the decedent may
4 file a request with the department for a search pursuant to this
5 section if the decedent was a resident or former resident of
6 this Commonwealth. The request shall include a copy of the
7 decedent's death certificate. The right to file a request for a
8 search pursuant to this section may not be assigned.

9 (c) The department shall transmit a search request to all
10 life insurers having life insurance policies in force in this
11 Commonwealth, along with information necessary for responding
12 directly to the person filing the request. Each insurer shall
13 examine its books and records to determine whether the decedent
14 is covered by a life insurance policy, and upon a finding that
15 coverage does exist, the insurer shall directly notify the
16 person filing the request.

17 (d) Insurers of credit life insurance, as defined in section
18 2 of the act of September 2, 1961 (P.L.1232, No.540), known as
19 the "Model Act for the Regulation of Credit Life Insurance and
20 Credit Accident and Health Insurance," are exempt from the
21 provisions of this act.

22 (e) The department may charge a fee of ten dollars (\$10) for
23 each search request processed through the database. Beginning
24 one year after the effective date of this section the department
25 shall have authority to increase the fee charged. The fee
26 increase may not exceed:

27 (1) an annual cost-of-living adjustment as calculated by
28 applying the percentage increase in the Consumer Price Index for
29 All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey,
30 Delaware and Maryland area for the most recent twelve-month

1 period for which figures have been officially reported by the
2 United States Department of Labor, Bureau of Labor Statistics;
3 and

4 (2) twenty per centum (20%) annually.

5 (f) The department may promulgate rules and regulations
6 necessary to implement the provisions of this section.

7 Section 2. This act shall take effect January 1, 2016, or
8 immediately, whichever is later.