

§2321-B. Insurers and advisory organizations; prohibited activity

1. No insurer or advisory organization may:

A. Attempt to monopolize, or combine or conspire with any other person to monopolize an insurance market; or [PL 1989, c. 797, §23 (NEW); PL 1989, c. 797, §§37, 38 (AFF).]

B. Engage in a boycott, on a concerted basis, of an insurance market. [PL 1989, c. 797, §23 (NEW); PL 1989, c. 797, §§37, 38 (AFF).]
[PL 1989, c. 797, §23 (NEW); PL 1989, c. 797, §§37, 38 (AFF).]

2. No insurer may agree with any other insurer or with an advisory organization to mandate adherence to or to mandate use of any rate, rating plan, rating schedule, rating rule, policy or bond form, rate classification, rate territory, underwriting rule, survey, inspection or similar material, except as needed to develop statistical plans permitted by section 2323.

A. The fact that 2 or more insurers, whether or not members or subscribers of an advisory organization, use consistently or intermittently the same rates, rating plans, rating schedules, rating rules, policy or bond forms, rate classifications, rate territories, underwriting rules, surveys or inspections or similar materials is not sufficient in itself to support a finding that an agreement exists. [PL 1989, c. 797, §23 (NEW); PL 1989, c. 797, §§37, 38 (AFF).]

B. Two or more insurers having a common ownership or operating in this State under common management or control may act in concert between or among themselves with respect to any matters pertaining to those activities authorized in this chapter as if they constituted a single insurer. [PL 1989, c. 797, §23 (NEW); PL 1989, c. 797, §§37, 38 (AFF).]
[PL 1989, c. 797, §23 (NEW); PL 1989, c. 797, §§37, 38 (AFF).]

3. No insurer or advisory organization may make any arrangement with any other insurer, advisory organization, or other person that has the purpose or effect of restraining trade unreasonably or of substantially lessening competition in the business of insurance.
[PL 1989, c. 797, §23 (NEW); PL 1989, c. 797, §§37, 38 (AFF).]

SECTION HISTORY

PL 1989, c. 797, §§23,37,38 (NEW).

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