



SPONSOR: Rep. Bush & Sen. Mantzavinos  
Sens. Ennis, Hansen, Lopez, Sokola

HOUSE OF REPRESENTATIVES  
151st GENERAL ASSEMBLY

HOUSE BILL NO. 321

AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DISAPPROVAL OF INSURANCE  
POLICY FORMS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 2713, Title 18 of the Delaware Code by making insertions as shown by underline and deletions as shown by strike through as follows:

§ 2713. Grounds for disapproval.

The Commissioner shall disapprove any form filed under § 2712 of this title, or withdraw any previous effectiveness thereof, only on 1 or more of the following grounds:

(1) If it is in any respect in violation of or does not comply with this ~~title~~; title.

(2) If it contains or incorporates by reference, where such incorporation is otherwise permissible, any inconsistent, ambiguous, or misleading clauses, or exceptions and conditions which deceptively affect the risk purported to be assumed in the general coverage of the ~~contract~~; contract.

(3) If it has any title, heading or other indication of its provisions which is ~~misleading~~; misleading.

(4) ~~As to an individual health insurance policy, if~~ If the benefits provided therein are unreasonable in relation to the premium charged, or if it contains any unjust, unfair or inequitable provision or ~~provisions~~; provisions.

(5) ~~As to a life insurance or health insurance policy, if~~ If it contains a provision or provisions such as to encourage misrepresentation.

SYNOPSIS

This bill expands the Commissioner's authority to deny policy form filings that encourage misrepresentation, contain any unjust, unfair or inequitable provisions, or where the benefits provided are unreasonable in relation to the premium charged, to other lines of insurance not limited to life and health policies. This bill also makes technical changes to conform to the requirements of the Delaware Legislative Drafting Manual.