

# HOUSE . . . . . No.

---

## The Commonwealth of Massachusetts

PRESENTED BY:

***John J. Lawn, Jr.***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act rebate law reform.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>12/15/2016</i>

# HOUSE . . . . . No.

---

By Mr. Lawn of Watertown, a petition (subject to Joint Rule 12) of John J. Lawn, Jr. relative to rebate law. Financial Services.

---

## The Commonwealth of Massachusetts

\_\_\_\_\_  
In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
\_\_\_\_\_

An Act rebate law reform.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1            175:182

2            Section 182. No company, no officer or agent thereof and no insurance broker shall pay  
3            or allow, or offer to pay or allow, in connection with placing or negotiating any policy of  
4            insurance or any annuity or pure endowment contract or the continuance or renewal thereof, any  
5            valuable consideration or inducement not specified in the policy or contract, or any special favor  
6            or advantage in the dividends or other benefits to accrue thereon; or shall give, sell or purchase,  
7            or offer to give, sell or purchase, anything of value whatsoever not specified in the policy; or  
8            shall give, sell, negotiate, deliver, issue, or authorize to issue or offer to give, sell, negotiate,  
9            deliver, issue, or authorize to issue any policy of workers' compensation insurance, or any motor  
10           vehicle liability bond or any motor vehicle liability policy, both as defined in section thirty-four  
11           A of chapter ninety, at a rate different from that fixed, established or approved by the  
12           commissioner. No such company, officer, agent or broker shall at any time pay or allow, or offer  
13           to pay or allow, any rebate of any premium paid or payable on any policy of insurance or any

annuity or pure endowment contract. Nothing in this chapter shall prevent any life company from making supplemental agreements, not specified in the policy, which give the policy owner or insured the right to borrow money from the life company in connection with a student loan insurance program, pursuant to United States Public Law 89: 329, or pursuant to any similar federal statute; provided, however, that such loans are to be made, issued, assumed or guaranteed by the United States of America or any instrumentality thereof, or by any state of the United States. For purposes of this Section conducting promotional or advertising programs whereby prizes, goods, wares, gift cards, gift certificates, event tickets, merchandise and other items not exceeding \$100.00 in value per customer or prospective customer in the aggregate in any one calendar year does not violate this Section.

176D:3(8)

(8) Rebates: Except as otherwise expressly provided by law, knowingly permitting or offering to make or making any insurance contract, including but not limited to a contract for life insurance, life annuity or accident and health insurance, or agreement as to such contract other than as plainly expressed in the insurance contract issued thereon, or paying or allowing, or giving or offering to pay, allow, or give, directly or indirectly, as inducement to such insurance or annuity any rebate of premiums payable on the contract, or any special favor or advantage in the dividends or other benefits thereon, or any valuable consideration or inducement whatever not specified in the contract; or giving, or selling, or purchasing or offering to give, sell, or purchase as inducement to such insurance contract, or annuity or in connection therewith, any stocks, bonds, or other securities of any insurance company or other corporation, association, or partnership, or any dividends or profits accrued thereon, or anything of value whatsoever not specified in the contract. For purposes of this Section conducting promotional or advertising

37 programs whereby prizes, goods, wares, gift cards, gift certificates, event tickets, merchandise  
38 and other items not exceeding \$100.00 in value per customer or prospective customer in the  
39 aggregate in any one calendar year does not violate this Section.