

CHAPTER 437
FORMERLY
HOUSE BILL NO. 317
AS AMENDED BY
HOUSE AMENDMENT NOS. 1 & 2

AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO GROSS PREMIUMS RECEIVED BY LIFE AND HEALTH INSURERS AND THE SPECIAL FUND FOR PAYMENTS TO ALL VOLUNTEER AMBULANCE COMPANIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Three-fourths of all members elected to each house thereof concurring therein):

Section 1. Amend § 713, Title 18 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 713. Reporting gross premiums received by life and health insurers; special fund for payments to all ~~nonprofit organizations that provide ambulance or rescue services~~ volunteer ambulance companies or rescue services.

(a) The Insurance Commissioner each year shall ascertain the total amount of gross premiums received by insurance companies and agents thereof as payment for all types of life and/or health insurance coverage within this State. The Insurance Commissioner shall then notify the State Treasurer of the total amount of such gross premiums and also the names and addresses of ~~all nonprofit organizations that provide ambulance and/or rescue services within this State, including, but not limited to, organizations such as volunteer fire companies, the Veterans of Foreign Wars and the American Legion~~ each volunteer ambulance company or volunteer rescue service in this State. After the Insurance Commissioner so informs the State Treasurer, the State Treasurer shall:

(1) Establish a special fund each year. This special fund shall be created out of the existing annual premium taxes paid by insurance companies and agents thereof pursuant to this chapter on all types of life and/or health insurance coverage within this State. The special fund shall be created out of the aforesaid premium taxes, and shall be equal to ~~fifteen one hundredths of 1 percent~~ twenty one hundredths of 1 percent of the gross premiums received by insurance companies and agents thereof for all types of life and/or health insurance coverage within this State.

(2) Distribute on a pro rata basis the proceeds of the special fund to the aforementioned nonprofit organizations within this State that are engaged in providing ambulance and/or rescue services.

(b) The Insurance Commissioner shall have the authority to request and receive any information regarding any insurance company's business relating to any type of life and/or health insurance coverage sold or offered for sale within this State for the purpose of determining the gross premiums received for such insurance coverage in order to determine the amount of the special fund.

(c) For the purpose of implementing this section, the Insurance Commissioner is authorized to promulgate rules and regulations that are consistent with this section.

(d) For the purpose of this section:

(1) "Basic life support (BLS)" shall have the same meaning as set forth in § 9702 of Title 16.

(2) "Volunteer ambulance company" shall mean a non-profit ambulance company that is certified by the State Fire Prevention Commission and is providing basic life support (BLS) services.

Approved September 24, 2014