

To accompany the petition of Wesley N. Monk for legislation to require foreign assessment insurance companies to appoint the commissioner of insurance attorney for the service of process and to fix the expiration date of licenses issued to said companies. Insurance.

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**The Commonwealth of Massachusetts.**

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In the Year One Thousand Nine Hundred and Twenty-Four.

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An Act to require Foreign Assessment Insurance Companies to appoint the Commissioner of Insurance Attorney for the Service of Process and to fix the Expiration Date of Licenses issued to Said Companies.

1 *Whereas*, The deferred operation of this act  
2 would tend to defeat its purpose, therefore it is,  
3 hereby declared to be an emergency law neces-  
4 sary for the immediate preservation of the public  
5 convenience.

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

1 Section thirteen of chapter one hundred and  
2 seventy-seven of the General Laws is hereby  
3 amended by inserting after the word "year" in  
4 the sixth line the words: — a power of attorney  
5 constituting and appointing the commissioner or  
6 his successor its true and lawful attorney for the  
7 service of process against it in the form prescribed  
8 by and subject to the third clause of section one

9 hundred and fifty-one of chapter one hundred and  
10 seventy-five, which process shall be served as pro-  
11 vided in said third clause and in section one hun-  
12 dred and fifty-four of said chapter one hundred  
13 and seventy-five, — and by inserting after the  
14 word “commonwealth” in the nineteenth line the  
15 words: — which shall expire annually on June  
16 thirtieth, unless sooner revoked, but may be re-  
17 renewed by the commissioner on or before that  
18 date upon written application of the company, —  
19 so as to read as follows: — *Section 13.* A cor-  
20 poration organized under the authority of another  
21 state or government to issue policies of insurance  
22 on the assessment plan, as a condition precedent  
23 to transacting business in this commonwealth,  
24 shall deposit with the commissioner a certified  
25 copy of its charter; a statement, on oath, of its  
26 president and secretary in the form required by  
27 the commissioner, of its business for the preceding  
28 year; a power of attorney constituting and ap-  
29 pointing the commissioner or his successor its true  
30 and lawful attorney for the service of process  
31 against it in the form prescribed by and subject  
32 to the third clause of section one hundred and  
33 fifty-one of chapter one hundred and seventy-  
34 five, which process shall be served as provided in  
35 said third clause and in section one hundred and  
36 fifty-four of said chapter one hundred and seventy-  
37 five; a certificate, on oath, of its president and  
38 secretary, that it is paying, and for the twelve  
39 months then last preceding has paid, the maxi-  
40 mum amount named in its policies in full; a cer-

41 tificate from the proper authority in its home state  
42 that corporations of this commonwealth engaged  
43 according to this chapter in insurance on the as-  
44 sessment plan, are legally entitled to do business  
45 in such state; a copy of its policy and applica-  
46 tion, which must show that benefits are provided  
47 for by assessment upon policy holders; evidence  
48 satisfactory to the commissioner that it has ac-  
49 cumulated and maintains a fund equal in amount  
50 to that required by section ten, that such accumu-  
51 lation is permitted by the law of its incorporation  
52 and is held in trust for the benefit of policy holders  
53 only, and is securely invested. The commissioner  
54 shall thereupon issue a license authorizing such  
55 corporation to do business in this commonwealth  
56 which shall expire annually on June thirtieth,  
57 unless sooner revoked, but may be renewed by  
58 the commissioner on or before that date upon  
59 written application of the company; and such  
60 authority shall be revoked if the commissioner,  
61 on investigation, is satisfied that such corporation  
62 is not paying in full the maximum amount named  
63 in its policies, or that it has otherwise failed to  
64 comply with any provision of this chapter or its  
65 own contracts. Upon such revocation the commis-  
66 sioner shall cause notice thereof to be published  
67 in such manner as he deems necessary for the  
68 protection of the public; and no new business  
69 shall be thereafter done by it or its agents in this  
70 commonwealth. A foreign corporation admitted  
71 under this section to transact business shall pay,  
72 on filing its application, thirty dollars, and for

73 each annual statement thereafter, twenty dollars.  
74 If any other state or country shall impose any  
75 obligation in excess of those imposed by this  
76 chapter upon any such corporation of this com-  
77 monwealth, like obligation shall be imposed on  
78 similar corporations, and their agents, of such  
79 state or country doing business in the common-  
80 wealth.