

(d) The Secretary of Labor and Industry may revoke any permit issued under the provisions of this act if the person to whom the permit was issued has violated any provisions of this act or of the rules and regulations established thereunder.

Section 13. This act shall become effective and operative immediately upon final enactment. When effective.

Section 14. It is intended that the various provisions of this act are severable, and if any such provisions are declared to be unconstitutional at any time by courts of authorized jurisdiction, the said action shall not be considered to affect the remainder of the provisions of this act. Constitutional provision.

Section 15. The following act, which this act is to replace, approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws, eight hundred two), entitled "An act relating to mattresses, pillows, bolsters, feather beds, comfortables, cushions, and upholstered furniture; regulating the making, remaking, renovating, sterilizing, disinfecting, sale, leasing, delivering, and consigning thereof, and the possession thereof with intent to sell, lease, deliver, or consign," and the amendments thereto, are hereby repealed. All other acts or parts of acts inconsistent herewith are hereby repealed. Act of June 14, 1923 (P. L. 802), repealed.

APPROVED—The 27th day of May, A. D. 1937.

GEORGE H. EARLE

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No. 250

AN ACT

To amend the act, approved the seventeenth day of July, one thousand nine hundred and thirty-five (Pamphlet Laws, one thousand ninety-two), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," empowering the Insurance Commissioner to make periodical examination of such societies; and requiring such societies to furnish the Insurance Commissioner with any information he may desire; providing penalties.

Section 1. Be it enacted, &c., That the act, approved the seventeenth day of July, one thousand nine hundred

Sections 19, 24, and 28, act of June 17, 1935 (P. L. 1092), amended.

and thirty-five (Pamphlet Laws, one thousand ninety-two), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violation of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report and be supervised by the Insurance Commissioner; and repealing existing laws," be amended to read as follows:

Section 19. Examination.—The Insurance Commissioner, or any person or persons he may appoint, shall have the power of visitation and examination into the affairs of every domestic society. He may employ such additional assistance from time to time as he may deem necessary or expedient for the purpose of such examination, and he, or any person or persons he may appoint, shall have free access to all the books, papers, and documents that relate to the business of the society and may summon and qualify as witness, under oath, and examine its officers and employes or other persons in relation to the affairs, transactions, and conditions of the society. *Such examinations shall be made every three (3) years, or oftener as he deems it to be necessary.*

Whenever, after examination, the Insurance Commissioner is satisfied that any domestic society is exceeding its powers or is transacting business fraudulently or is in such condition that its further transaction of business will be hazardous to its members or to the public or shall determine to discontinue business, the Insurance Commissioner may present the facts relating thereto to the Attorney General who shall, if he deem the circumstances warrant, proceed against such society in the method prescribed by the laws of this State providing for the liquidation of insolvent or delinquent companies, orders, or associations transacting any class of insurance.

No such proceedings shall be commenced by the Attorney General against any such society until after notice has been duly served on the chief executive officers of the society and a reasonable opportunity given to it, on a date to be named in said notice, to show cause why such proceedings should not be commenced. No application for injunction against, or proceedings for

the dissolution of or appointment of a receiver for, any domestic society or branch thereof shall be entertained by any court of this Commonwealth, unless the same is made by the Attorney General.

Section 24. Examination of Foreign Societies.—The Insurance Commissioner, or his deputy or examiner or any person *or persons* whom he may appoint, [may] *shall* examine [any] *every* foreign society transacting [or applying for admission to transact] business in this Commonwealth. *Such examinations shall be made every three years, or oftener if he deems it to be necessary. He shall also require an examination to be made of every foreign society applying for admission to transact business in this Commonwealth.* The said Insurance Commissioner may employ assistants and he, or any person *or persons* he may appoint, shall have free access to all the books, papers and documents that relate to the business of the society. He may summon and qualify as witness under oath and examine its officers, agents, and employes and other persons in relation to the affairs, transactions, and condition of the society. He may in his discretion accept in lieu of such examination the examination of the Insurance Department of the state, territory, district, province, or country where such society is organized. The actual expense of the examiners making any such examination shall be paid by the society upon statement furnished by the Insurance Commissioner.

If any society or its officers refuse to submit to such examination or to comply with the provisions of the section relative thereto, the authority of such society to write new business in this Commonwealth shall be suspended or license refused, until satisfactory evidence is furnished the Insurance Commissioner relating to the condition and affairs of the society, and during such suspension the society shall not write new business in this Commonwealth.

Section 28. Annual Statement.—Every society transacting business under this act shall annually, on or before the first day of March, file with the Insurance Commissioner, in such form as he may require, a statement under oath of its president and secretary, or corresponding officers, of its transactions for the calendar year, ending December thirty-first preceding, and of its condition and standing, on that date, and shall include therein all accrued liability under unpaid claims. [where notice was received by the society at its home office before the end of such calendar year. No society shall be required to include in such report any claim or claims, notice of which had not been received by the society at its home office before the end of such year.] It shall also, *within thirty days after requested by the*

*Insurance Commissioner, render such additional statement or statements concerning its affairs and financial condition as the Insurance Commissioner may, in his discretion, require. [furnish such other information as the Insurance Commissioner may deem necessary to a proper exhibit of its business and plan of working. The commissioner may at other times require any further statement he may deem necessary to be made relating to such society.]*

*Any such society which neglects to make and file its annual statement or other statements that may be required in the form or within the time herein provided shall forfeit a sum, not to exceed one hundred dollars (\$100), for each day during which such neglect continues, and, upon notice by the Insurance Commissioner, its authority to do new business shall cease while such default continues.*

APPROVED—The 28th day of May, A. D. 1937.

GEORGE H. EARLE

No. 251

AN ACT

To amend section three hundred and fifty-four of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, six hundred and eighty-two), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," to include contracts pertaining to pure endowments and annuities, policies of fire, marine and title insurance and contracts issued by assessment insurance corporations and all other forms of insurance contracts issued in Pennsylvania.

Insurance.

Section 354,  
act of May 17,  
1921 (P. L.  
682), amended.

Section 1. Be it enacted, &c., That section three hundred and fifty-four of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, six hundred and eighty-two), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; provid-