

than two hundred fifty dollars (\$250) per month. Such service shall include service in the armed forces of the United States in times of war, or active service in the Pennsylvania State Militia when it has been mobilized for internal policy duty. Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designated by the board that the employe is in a permanent condition of health which would totally disable him or her from performing the duties of his or her position or office. Once a year, the board of pensions may require a disability pensioner to undergo a medical examination by three physicians appointed by the board, and should such physicians thereupon report and certify to the board that such beneficiary is no longer incapacitated, and should the pension board concur in such report, the pension payments to such beneficiary shall be discontinued.

Payments to disabled members shall be made on or after July 1, 1959.

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 14th day of August, A. D. 1959.

DAVID L. LAWRENCE

No. 251

AN ACT

Amending the act of May 17, 1921 (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," imposing restrictions upon payment or division of commissions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 212, act of May 17, 1921 (P. L. 789), known as "The Insurance Department Act of one thousand nine hundred and twenty-one," amended May 25, 1951 (P. L. 406), is amended to read:

The Insurance Department Act of one thousand nine hundred and twenty-one.

Section 212, act of May 17, 1921, P. L. 789, amended May 25, 1951, P. L. 406, further amended.

Section 212. Effect of Additional Restrictions of Other States.—As used in this section the term—

“Insurance Companies” includes insurance companies, insurance associations and insurance exchanges.

“Agents” includes insurance agents, insurance brokers, public adjusters and public adjusters’ solicitors.

“Burdens or Prohibitions” includes taxes, fines, penalties, licenses, fees, rules, regulations, obligations, and prohibitions, including prohibitions against writing particular kinds of insurance by insurance companies, *and restrictions on the payment or division of commissions to or with insurance agents or brokers licensed under the laws of this Commonwealth.*

If any other state imposes any burdens or prohibitions on insurance companies, or agents of this state doing business in such other state, which are in addition to, or in excess of, the burdens or prohibitions imposed by this Commonwealth on insurance companies and agents, like burdens and prohibitions shall be imposed on all insurance companies and agents of such other state doing business in this Commonwealth, so long as the burdens and prohibitions of such other state remain in force. In applying this section to an insurance company of another state, such company shall not be required to pay any taxes and fees which are greater in aggregate amount than those which would be imposed by the laws of such other state and any political subdivision thereof upon a like company of this Commonwealth transacting the same volume and kind of business in such other state.

If any other state requires additional or other insurance covering motorists, or motor vehicles that are insured in Pennsylvania insurance companies, or in insurance companies of other states that are licensed to do business in this Commonwealth in order to use the highways of such other state, like, additional or other insurance shall be required to cover all motorists and motor vehicles of such other state using the highways of this Commonwealth so long as the requirement of such other state shall remain in force.

The existence of a monopolistic State Fund for the writing of any class or classes of insurance in another state shall not be construed as a reason to deny to a company, association or exchange of that state a license to transact such classes of insurance in this Commonwealth.

APPROVED—The 14th day of August, A. D. 1959.

DAVID L. LAWRENCE