

HOUSE BILL 3082
By Rhinehart

AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 26, to allow trade and professional associations to pool their liabilities for accident and sickness insurance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 26, is amended by adding the following as a new section:

Section ___. Ten (10) or more employers of the same trade or professional association may enter into an agreement to pool their liabilities under this chapter for the purpose of qualifying as self-insurers. The trade or professional association shall have been in active existence in Tennessee for at least five (5) years and such association shall:

- (1) Have a constitution or bylaws;
- (2) Have members that support the association by regular payment of dues on an annual, semi-annual, quarterly or monthly basis; and
- (3) Be created in good faith for a purpose other than that of creating accident and sickness self-insurer pools.

The commissioner of commerce and insurance has the authority to promulgate such rules and regulations in accordance with the Uniform Administrative Procedures Act, Title 4, Chapter 5, as deemed necessary to provide for the solvency, administration and enforcement of such pooling agreements. To the extent deemed necessary by the commissioner of commerce and insurance, each employer member of such approved group shall be classified as a self-insurer as otherwise provided in this chapter.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.