

A BILL

FOR AN ACT TO PREVENT IMPROPER COMBINATIONS BY INSURANCE COMPANIES, THEIR OFFICERS AND AGENTS.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. It shall be unlawful for two or more insurance companies, organized under
2 the laws of this State, or under the laws of any other State, and doing business within this
3 State, to so combine as to prevent competition, directly or indirectly, in the insurance of
4 property within this State against loss by fire or lightning.

SEC. 2. It shall be unlawful for two or more such insurance companies to form a board,
2 having for its object the fixing of "board rates," as it is commonly called, to govern and con-
3 trol them, and by which they agree to be bound in such manner as not to insure property to
4 which such rates apply below the rates thus fixed; or if any such insurance company shall
5 in any other manner so unite or combine as not to be perfectly free to insure property within
6 this State against loss from accidents caused by fire and lightning, at such rates as the parties
7 may fairly agree upon, without restraint and uninfluenced by any promise or agreement by
8 such insurance company with any other company as to what rate of insurance shall be
9 charged, it shall likewise be unlawful.

SEC. 3. Any such insurance company violating any of the provisions of this act within
2 this State shall be guilty of a misdemeanor, and liable to indictment by the grand jury of
3 any county within which any part of, or the entire offense is committed, and upon conviction
4 shall be punished by fine not exceeding one thousand dollars, nor less than five hundred dol-
5 lars; and in addition to which, forfeit its charter and all right to do insurance business within
6 this State from and after a certified transcript of the record of conviction shall be filed by
7 the clerk of the court in which the commitment is had, in the office of the Auditor of State.

SEC. 4. Any local agent, general agent, or other officer of any such insurance company
2 engaged in, or doing any of the acts herein before prohibited, for and on the part of his com-
3 pany, or the one he represents, shall be deemed guilty of a misdemeanor, and upon convic-
4 tion be punished by imprisonment in the county jail not exceeding one year, or by fine not
5 exceeding five hundred dollars, or by both fine and imprisonment.

SEC. 5. This act being deemed of immediate importance shall take effect and be in force
2 from and after its publication in the Iowa State Register and Iowa State Leader, newspa-
3 pers published in Des Moines, Iowa.

A BILL

FOR AN ACT REGULATING THE TERMS UPON WHICH FOREIGN INSURANCE COMPANIES MAY DO BUSINESS IN THIS STATE.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. No insurance company, corporation or association, incorporated under the laws of any other State or foreign government, shall directly or indirectly, issue policies, take risks, or transact business in this State until it shall first appoint the Auditor of this State to be the true and lawful attorney of such company or association in and for this State upon whom all lawful process in any action or proceeding against the company may be served; and service upon such attorney shall be deemed sufficient service upon the principal. Said power of attorney shall expressly waive all right of said company to petition or move to have any action commenced against said company in any of the courts of this State removed to the federal courts on account of the non-residence of said company, and shall stipulate and agree, upon the part of said company, that any lawful process against the company which shall be served on said attorney shall be of the same legal force and validity as if served on the company, and that the authority for such service therein conferred, shall continue in force so long as any liability remains outstanding against the company in this State. A certificate of such appointment duly certified and authenticated shall be filed in the office of the Auditor of State, and copies certified by him shall be deemed sufficient evidence thereof, and receivable in evidence in any of the courts of this State.

SEC. 2. Whenever lawful process against any insurance company shall be served upon the Auditor of State as provided in section 1 hereof, he shall forthwith forward a copy of the process served on him by mail, postpaid, and directed to the secretary of the company or in the case of companies of foreign countries, to the resident manager in this country, and shall also forward a copy thereof to the general agent of said company in this State. For each copy of process the Auditor of State shall collect the sum of one dollar, which shall be paid by the plaintiff at the time of such service, the same to be recovered by him as a part of the taxable costs if he prevails in the suit.

SEC. 3. Should any such insurance company or association not organized under the laws of this State, but doing an insurance business within this State, make an application to remove any suit or action, to which it is a party, heretofore or hereafter commenced in any

4 court of this State to the United States district or circuit courts contrary to the provisions
5 of section one of this act, the Auditor of State shall immediately upon the filing in his
6 office of a certified copy of the petition or application for such removal revoke the license or
7 authority of said company to transact business, and no renewal of said license or authority
8 shall be granted for the period of one year from the date of such revocation.

A BILL

FOR AN ACT REGULATING THE TERMS UPON WHICH FOREIGN AND OTHER,
INSURANCE COMPANIES MAY DO BUSINESS IN THIS STATE.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. No insurance company, corporation or association, incorporated under the
2 laws of any other State or foreign government, shall directly or indirectly, issue policies,
3 take risks, or transact business in this State, until it shall first appoint the Auditor of this
4 State to be the true and lawful attorney of such company or association in and for this
5 State upon whom all lawful process in any action or proceeding against the company may
6 be served; and service upon such attorney shall be deemed sufficient service upon the prin-
7 cipal. Said power of attorney shall expressly waive all right of said company to petition or
8 move to have any action commenced against said company in any of the courts of this
9 State removed to the Federal courts on account of the non-residence of said company; and
10 shall stipulate and agree, upon the part of said company, that any lawful process against
11 the company which shall be served on said attorney shall be of the same legal force and
12 validity as if served on the company, and that the authority for such service therein con-
13 fessed shall continue in force so long as any liability remains outstanding against the
14 company in this State. A certificate of such appointment duly certified and authenticated
15 shall be filed in the office of the Auditor of State, and copies certified by him shall be
16 deemed sufficient evidence thereof and receivable in evidence in any of the courts of this
17 State.

SEC. 2. Whenever lawful process against any insurance company shall be served upon
2 the Auditor of State as provided in section 1 hereof, he shall forthwith forward a copy of
3 the process served on him by mail, postpaid, and directed to the secretary of the company,
4 or in the case of companies of foreign countries, to the resident manager in this country,
5 and shall also forward a copy thereof to the general agent of said company in this State.
6 For each copy of process the Auditor of the State shall collect the sum of one dollar which
7 shall be paid by the plaintiff, at the time of such service, the same to be recovered by him
8 as a part of the taxable costs if he prevails in the suit.

SEC. 3. Should any insurance company or association not organized under the laws of
2 this State, but doing an insurance business within this State, make an application to remove
3 any suit or action, to which it is a party, heretofore or hereafter commenced in any court of

4 this State to the United States District or Circuit Courts contrary to the provisions of sec-
5 tion 1 of this act, the Auditor of State, shall immediately upon the filing in his office of a
6 certified copy of the petition or application for such removal revoke the license or authority
7 of said company to transact business, and no renewal of said license or authority shall be
8 granted for the period of one year from the date of such revocation.

SEC. 4. It shall be unlawful for any two or more insurance companies, either domestic or
2 foreign, doing an insurance business in this State to so combine as to prevent legitimate
3 competition, either directly or indirectly, in the insurance of property within this State.

SEC. 5. It shall be unlawful for any two or more such insurance companies to form a com-
2 pact or board, having for its object the fixing of what is commonly known and called "board
3 rates" by which they agree to be bound in such manner as to not insure property to which
4 such rates apply below the rates thus fixed; or in any other manner to so unite or combine,
5 as not to be perfectly free to insure property within this State at such rates as the parties
6 may fairly agree upon, without restraint and uninfluenced by any promise or agreement
7 with any other company as to what rate of insurance shall be charged.

SEC. 6. Any insurance company violating either of the provisions of "section 5" or "sec-
2 tion 6" of this act shall be deemed guilty of a misdemeanor, and liable to indictment by the
3 grand jury of any county in which such offense is committed, either in whole or in part, and
4 upon conviction thereof shall pay a fine of not less than five hundred nor more than one
5 thousand dollars.

SEC. 7. It shall be the duty of the clerk of the court in which any conviction for a viola-
2 tion of the provisions of "sections 5 or 6" of this act is had, immediately thereafter to file
3 in the office of the Auditor of State a certified copy of said record of conviction. Upon the
4 filing of the same the Auditor of State shall immediately revoke the license or authority of
5 said company to transact business in this State, and no renewal thereof shall be granted for
6 the period of one year from the date of such revocation, unless the said conviction shall
7 have been reversed by the Supreme Court of this State.