

AN ACT

To enact section 3901.96 of the Revised Code to exclude nonprofit agricultural membership organizations from insurance regulations.

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

SECTION 1. That section 3901.96 of the Revised Code be enacted to read as follows:

Sec. 3901.96. (A) As used in this section:

(1) "Nonprofit agricultural membership organization" means an organization or an affiliate of an organization that meets both of the following:

(a) The organization was incorporated in this state on or before December 31, 1919, for the purpose of promoting the interests of farmers in this state.

(b) The organization provides healthcare benefit coverage exclusively to members of the organization and the members' families pursuant to contracts between the members and the organization or its affiliate.

(2) "Material marketing" means the official written materials and verbal communications provided to, or directed at, prospective members and members' families for advertising or marketing purposes.

(B) Healthcare benefit coverage provided by a nonprofit agricultural membership organization that meets all of the following is not subject to Title XXXIX or Chapter 1739., 1751., or 1753. of the Revised Code and shall not be considered insurance under any law of this state:

(1) The healthcare benefit coverage is provided by a nonprofit agricultural membership organization to the organization's members;

(2) The application for healthcare benefit coverage and any contract provided to a member is in writing;

(3) The application for healthcare benefit coverage and any contract provided to a member prominently states both of the following:

(a) The healthcare benefit coverage is not insurance;

(b) The healthcare benefit coverage is not subject to the laws and rules of this state governing insurance.

(C) A nonprofit agricultural membership organization shall not represent that healthcare benefit coverage provided by the organization is insurance in any material marketing.

(D) The risks arising out of healthcare benefit coverage provided by a nonprofit agricultural membership organization may be assumed or reinsured by a company authorized to conduct the business of insurance in this state.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

Am. S. B. No. 100

136th G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____