

FARM PRODUCE INSURANCE ACT (EXCERPT)
Act 198 of 2003

285.323 Administrative premium or producer premium; refund.

Sec. 13.

(1) Subject to subsection (7), a producer that has paid, either directly or collected by a licensee, an administrative premium or producer premium may receive a refund of that administrative premium or producer premium from the fund by submitting a written demand for refund to the board, delivered personally or by first-class mail within 12 months after the producer paid the administrative premium or producer premium, or within a longer period granted by the board if it determines that good cause for an extension exists.

(2) A producer shall submit a demand for refund of an administrative premium or producer premium under subsection (1) on a demand for refund form developed by the board. The board shall make the form available to a licensee, producer, or member of the public upon request.

(3) If a producer is entitled to a refund of an administrative premium or producer premium under this section, the board shall pay the refund within 60 days of its receipt of the demand for refund.

(4) If administrative premiums or producer premiums were assessed in the immediately preceding calendar year, the board shall by January 31 send a notice to each producer who requested a refund of an administrative premium or producer premium in any previous calendar year. The notice must inform the producer of the deadline for and method of submitting a demand for refund to the board under subsections (1) and (2) and the method for reentering the program under subsection (5).

(5) A producer that receives a refund of an administrative premium or producer premium under subsection (1) is not entitled to participation in the program or to receive any payment under this act unless it reenters the farm produce insurance program by meeting all of the following conditions:

(a) The producer submits a request for reentry into the farm produce insurance program to the board. The producer shall submit the request in the form required by the board and shall deliver the request to the board by hand or by certified mail, return receipt requested.

(b) The board reviews the producer's request for reentry and approves the request.

(c) The producer pays into the fund all previous administrative premiums and producer premiums refunded to the producer, and interest on the refunds as determined by the board.

(6) A producer that reenters the farm produce insurance program under subsection (5) is eligible for reimbursement of claims under the program for any failure that occurs at least 90 days after reentry.

(7) A producer is not eligible for a refund of an administrative premium or producer premium under this section if the producer has received reimbursement from the fund for a valid claim within the preceding 36 months.

History: 2003, Act 198, Imd. Eff. Nov. 10, 2003 ;-- Am. 2008, Act 140, Imd. Eff. May 28, 2008 ;-- Am. 2012, Act 149, Imd. Eff. May 30, 2012