

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

March 2, 2023  
Date

Committee on Business, Labor, & Technology.

After consideration on the merits, the Committee recommends the following:

HB23-1004 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend reengrossed bill, page 3, line 12, after "FOLLOWING" insert
- 2 "WRITTEN OR ELECTRONIC".
  
- 3 Page 3, line 16, strike "FOR THE" and substitute "OR INTERFACE THE
- 4 APPLICANT USES TO APPLY FOR, PURCHASE, OR RECEIVE A QUOTE FOR AN".
  
- 5 Page 3, line 17, strike "REJECTIONS, WAIVERS, EXCLUSIONS," and
- 6 substitute "FORMS, INCLUDING REJECTIONS OR EXCLUSIONS; AND".
  
- 7 Page 3, strike line 18.
  
- 8 Page 3, line 19, strike "POLICY AND ANY FORMS, EXPLANATION" and
- 9 substitute "POLICY, POLICY DECLARATIONS PAGE, EXPLANATIONS".
  
- 10 Page 4, strike lines 24 through 27.
  
- 11 Page 5, strike lines 1 through 8 and substitute:
  - 12 "(4) (a) IF AN INSURER FAILS TO COMPLY WITH THE REQUIREMENTS
  - 13 OF THIS SECTION, ANY WRITTEN COVERAGE REJECTIONS OR EXCLUSIONS
  - 14 RESULTING FROM THE INSURER'S FAILURE TO COMPLY WITH THIS SECTION
  - 15 ARE VOIDABLE AT THE INSURED'S ELECTION. IF THE INSURED ELECTS TO
  - 16 VOID THE COVERAGE REJECTION OR EXCLUSION:
  - 17 (I) THE INSURED MAY RECOVER REASONABLE ATTORNEY FEES AND
  - 18 COURT COSTS INCURRED IN REINSTATING OR REWRITING THE COVERAGE;
  - 19 AND
  - 20 (II) THE INSURER SHALL NOT REQUIRE THE INSURED TO PAY ANY
  - 21 PREMIUM DURING THE POLICY PERIOD APPLICABLE FOR THE REINSTATED

1 OR REWRITTEN COVERAGE.  
2 (b) IF THE INSURED DOES NOT REJECT COVERAGE IN FUTURE POLICY  
3 PERIODS, THE INSURER MAY CHARGE A PREMIUM FOR THE COVERAGE IN  
4 FUTURE POLICY PERIODS."

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