

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 17, 2024
Date

Committee on Business Affairs & Labor.

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

HB24-1440 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, strike lines 7 through 10 and substitute
- 2 "INSURANCE POLICIES IN THIS STATE SHALL PROVIDE A SUMMARY
- 3 DOCUMENT IN SPANISH AND THAT SATISFIES THE REQUIREMENTS OF
- 4 SUBSECTION (1)(a)(II) OF THIS SECTION TO:
- 5 (A) THE NAMED INSURED UNDER AN INSURANCE POLICY ISSUED IN
- 6 THIS STATE, IF THE NAMED INSURED COMPLETED AND RETURNED TO THE
- 7 INSURER THE LANGUAGE SELECTION FORM IN ACCORDANCE WITH
- 8 SUBSECTION (2)(c) OF THIS SECTION; OR
- 9 (B) ALL NAMED INSURED UNDER INSURANCE POLICIES ISSUED IN
- 10 THIS STATE IN ACCORDANCE WITH SUBSECTION (2)(d) OF THIS SECTION.
- 11 (II) THE SUMMARY DOCUMENT REQUIRED BY THIS SUBSECTION (1)
- 12 MUST:".
- 13 Renumber succeeding subparagraph accordingly.
- 14 Page 2, line 11, strike "PROVIDES" and substitute "PROVIDE".
- 15 Page 2, line 14, strike "INCLUDES" and substitute "INCLUDE".
- 16 Page 2, strike line 16 and substitute:
- 17 "(C) INCLUDE ANY".
- 18 Page 3, line 1, strike "INSURED" and substitute "NAMED INSURED
- 19 PURSUANT TO SECTION 10-4-609 OR 10-4-635".
- 20 Page 3, line 2, after "10-4-630;" add "AND".

1 Page 3, strike lines 3 through 6 and substitute:

2 "(D) BE IN THE FORM PRESCRIBED BY, AND IN A WRITTEN OR
3 ELECTRONIC FORMAT AS DETERMINED BY, THE COMMISSIONER BY RULE."

4 Page 3, line 8, strike "FORM" and substitute "FORM, INCLUDING
5 SPECIFYING THE FORMAT,".

6 Page 3, line 11, strike "AN" and substitute "THE NAMED".

7 Page 3, line 24, strike "AN" and substitute "EXCEPT AS PROVIDED IN
8 SUBSECTION (2)(d) OF THIS SECTION, AN".

9 Page 4, line 1, strike "SECTION IN EITHER ENGLISH OR SPANISH;" and
10 substitute "SECTION;".

11 Page 4, line 2, strike "OFFER AND THE" and substitute "LANGUAGE
12 SELECTION".

13 Page 4, line 4, strike "OFFER" and substitute "PROVIDE".

14 Page 4, line 15, strike "INSURER INDICATING A LANGUAGE SELECTION,"
15 and substitute "INSURER,".

16 Page 4, strike line 17 and substitute "SECTION UPON ISSUANCE OF THE
17 INITIAL INSURANCE POLICY AND AT EVERY RENEWAL OF THE INSURANCE
18 POLICY. IF THE APPLICANT".

19 Page 4, line 19, strike "RECEIVING" and substitute "THE INSURER SENDS"
20 and strike "MAY" and substitute "IS NOT REQUIRED TO".

21 Page 4, line 20, strike "SECTION IN ENGLISH." and substitute "SECTION.".

22 Page 4, after line 20 insert:

23 "(d) INSTEAD OF OFFERING AN APPLICANT FOR A NEW OR RENEWAL
24 INSURANCE POLICY A LANGUAGE SELECTION FORM PURSUANT TO
25 SUBSECTION (2)(a) OF THIS SECTION, AN INSURER MAY COMPLY WITH THIS
26 SECTION BY PROVIDING ALL NAMED INSUREDS UNDER ITS INSURANCE
27 POLICIES ISSUED IN THIS STATE THE SUMMARY DOCUMENT DESCRIBED IN
28 SUBSECTION (1) OF THIS SECTION.

29 (e) BY DECEMBER 31, 2024, THE COMMISSIONER, BY RULE, SHALL
30 CREATE AND APPROVE A LANGUAGE SELECTION FORM, IN ENGLISH AND IN

1 SPANISH, FOR INSURERS TO USE TO COMPLY WITH THIS SUBSECTION (2).".

2 Page 4, line 23, after "COVERAGES" insert "PURSUANT TO SECTION
3 10-4-609 OR 10-4-635".

4 Page 5, line 9, strike "COMMERCIAL AUTOMOBILE,".

5 Page 5, line 10, strike "AUTOMOBILE, HOMEOWNERS, OR RENTERS" and
6 substitute "AUTOMOBILE".

7 Page 5, after line 13 insert:

8 "SECTION 2. In Colorado Revised Statutes, 10-1-133, **amend**
9 (2)(a) as follows:

10 **10-1-133. Consumer insurance council - creation - advisory**
11 **body - appointment of members - meetings - repeal.** (2) (a) The
12 council consists of at least six and not more than fifteen members
13 appointed by the commissioner, all of whom must represent consumer
14 organizations or be consumers who are not engaged, directly or indirectly,
15 in the insurance industry or any other industry, business, or profession
16 that might present a conflict of interest, as determined by the
17 commissioner, AND ONE OF WHOM MUST BE A CONSUMER WHOSE FIRST
18 LANGUAGE IS NOT ENGLISH. To the greatest extent possible, the council
19 must reflect the geographic and demographic diversity of the state.
20 Insurance producers, insurance industry representatives, actively
21 practicing health-care providers, and any other individuals who may have
22 a conflict of interest, as determined by the commissioner, are not eligible
23 for membership on the council.

24 **SECTION 3.** In Colorado Revised Statutes, 10-1-136, **add** (3.5)
25 as follows:

26 **10-1-136. Insurance policies - language other than English -**
27 **increasing access for non-English-speaking consumers - definitions.**
28 (3.5) THE COMMISSIONER SHALL USE COUNCILS ESTABLISHED WITHIN THE
29 DIVISION, INCLUDING THE PRODUCER ADVISORY COUNCIL AND ANY OTHER
30 COUNCILS ESTABLISHED BY THE COMMISSIONER, TO ENGAGE WITH
31 BILINGUAL INSURANCE PRODUCERS TO DISCUSS THE INSURANCE MARKET
32 FOR NON-ENGLISH-SPEAKING CONSUMERS, INCLUDING WAYS TO INCREASE
33 ACCESS TO INSURANCE PRODUCTS AND SERVICES FOR
34 NON-ENGLISH-SPEAKING CONSUMERS."

35 Renumber succeeding sections accordingly.

36 Before "INSURED" insert "NAMED" on: **Page 2**, line 14; **Page 3**, lines 2 and

- 1 21; **Page 4**, lines 9, 25, and 26; **Page 5**, lines 2 and 5.
- 2 Before "INSURED'S" insert "NAMED" on: **Page 3**, line 14; and **Page 4**, line
3 24.
- 4 Before "FORM" insert "LANGUAGE SELECTION" on: **Page 4**, lines 4, 7, 9,
5 11, 14, 18, and 19.

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