

CHAPTER 27

INSURANCE

SENATE BILL 02-107

BY SENATOR(S) Fitz-Gerald, Chlouber, Hagedorn, Hernandez, Isgar, Nichol, Phillips, and Taylor;
also REPRESENTATIVE(S) Miller, White, Boyd, Dean, Groff, Harvey, Marshall, Rippy, Scott, Smith, Tochtrop, and Williams S..

AN ACT

CONCERNING DECEPTIVE PRACTICES IN THE BUSINESS OF INSURANCE RELATING TO THE DENIAL OF COVERAGE BASED SOLELY ON AN INDIVIDUAL'S NONPROFESSIONAL PARTICIPATION IN SPECIFIED SPORTS.

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

SECTION 1. 10-3-1104 (1) (f) (XII) and (1) (h) (XVI), Colorado Revised Statutes, are amended to read:

10-3-1104. Unfair methods of competition and unfair or deceptive acts or practices. (1) The following are defined as unfair methods of competition and unfair or deceptive acts or practices in the business of insurance:

(f) (XII) Denying health care coverage subject to article 16 of this title to any individual based solely on that individual's casual or nonprofessional participation in the following activities: Motorcycling; snowmobiling; ~~or~~ off-highway vehicle riding; SKIING; OR SNOWBOARDING;

(h) Unfair claim settlement practices: Committing or performing, either in willful violation of this part 11 or with such frequency as to indicate a tendency to engage in a general business practice, any of the following:

(XVI) Excluding medical benefits under health care coverage subject to article 16 of this title to any covered individual based solely on that individual's casual or nonprofessional participation in the following activities: Motorcycling; snowmobiling; ~~or~~ off-highway vehicle riding; SKIING; OR SNOWBOARDING;

SECTION 2. Effective date - applicability. This act shall take effect January 1, 2003, and shall apply to all policies issued or renewed on or after said date.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 22, 2002