

CHAPTER 294

INSURANCE

SENATE BILL 15-262

BY SENATOR(S) Neville T., Scheffel;
also REPRESENTATIVE(S) Williams, Neville P., Saine.

AN ACT

CONCERNING UPDATES TO THE STATUTES REGULATING BLANKET SICKNESS AND ACCIDENT
INSURANCE.

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

SECTION 1. In Colorado Revised Statutes, 10-16-215, **amend** (1); and **add** (4) as follows:

10-16-215. Blanket sickness and accident insurance. (1) Blanket sickness and accident insurance is declared to be that form of sickness and accident insurance covering special groups of not less than ten persons as enumerated ~~in one of the following~~ UNDER A POLICY OR CONTRACT ISSUED:

(a) ~~Under a policy or contract issued~~ To any common carrier, which shall be deemed the policyholder, covering a group defined as all persons who ~~may become~~ ARE passengers on ~~such~~ THE common carrier;

(b) ~~Under a policy or contract issued~~ To an employer, who shall be deemed the policyholder, covering ALL WORKERS OR any group of ~~employees~~ WORKERS, DEPENDENTS, OR GUESTS defined by reference to ~~exceptional hazards incident to such employment~~ ACTIVITIES OR OPERATIONS OF THE POLICYHOLDER;

(c) ~~Under a policy or contract issued~~ To a college, school, or other institution of learning or to the head or principal ~~thereof~~ OF THE COLLEGE, SCHOOL, OR OTHER INSTITUTION OF LEARNING, who shall be deemed the policyholder, covering students or teachers;

(d) ~~Under a policy or contract issued~~ In the name of any volunteer fire department, first aid, CIVIL DEFENSE, or other ~~such~~ SIMILAR volunteer group, which

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

shall be deemed the policyholder, covering all of the members of such department or group DEFINED BY REFERENCE TO ACTIVITIES OR OPERATIONS OF THE POLICYHOLDER;

(e) To a SPORTS TEAM OR CAMP OR TO A SPONSOR OF A SPORTS TEAM OR CAMP, WHICH TEAM, CAMP, OR SPONSOR SHALL BE DEEMED THE POLICYHOLDER, COVERING MEMBERS, CAMPER, EMPLOYEES, OFFICIALS, SUPERVISORS, OR VOLUNTEERS;

(f) TO ANY RELIGIOUS, CHARITABLE, RECREATIONAL, EDUCATIONAL, OR CIVIC ORGANIZATION, OR BRANCH OF ANY RELIGIOUS, CHARITABLE, RECREATIONAL, EDUCATIONAL, OR CIVIC ORGANIZATION, WHICH ORGANIZATION SHALL BE DEEMED THE POLICYHOLDER, COVERING ALL MEMBERS OR PARTICIPANTS DEFINED BY REFERENCE TO ACTIVITIES OR OPERATIONS OF THE POLICYHOLDER;

(g) TO A RESTAURANT, HOTEL, MOTEL, RESORT, OR INNKEEPER, WHICH SHALL BE DEEMED THE POLICYHOLDER, COVERING A GROUP DEFINED AS ALL PERSONS WHO ARE PATRONS OR GUESTS OF THE POLICYHOLDER;

~~(e)~~ (h) ~~Under a policy or contract issued~~ To any other substantially similar group which, in the discretion of the commissioner, may be subject to the issuance of a blanket sickness and accident policy or contract.

(4) NOTHING IN THIS SECTION RELIEVES AN EMPLOYER FROM ANY REQUIREMENT TO OBTAIN COVERAGE UNDER THE "WORKERS' COMPENSATION ACT OF COLORADO", ARTICLES 40 TO 47 OF TITLE 8, C.R.S. NO POLICY ISSUED UNDER THIS SECTION MAY QUALIFY AS OR SUBSTITUTE FOR A HEALTH BENEFIT PLAN UNDER FEDERAL LAW. NOTHING IN THIS SECTION AFFECTS THE LEGAL LIABILITY OF POLICYHOLDERS FOR THE DEATH OF OR INJURY TO ANY MEMBER OF THE GROUP. NO POLICY ISSUED UNDER THIS SECTION MAY QUALIFY AS OR SUBSTITUTE FOR GENERAL LIABILITY INSURANCE.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 5, 2015