

HB1288_L.011

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Civic, Military, & Veterans Affairs.

HB23-1288 be amended as follows:

1 Amend printed bill, page 4, strike lines 22 and 23 and substitute:

2 "(3) THE FAIR PLAN ASSOCIATION SHALL:".

3 Page 8, line 23, strike "IS CONSISTENT WITH" and substitute "SATISFIES".

4 Page 9, line 26, after "OPERATION" insert "THAT SATISFIES THIS PART 18".

5 Page 10, strike lines 7 through 22 and substitute:

6 "(4) (a) IF THE COMMISSIONER DETERMINES THAT AN APPROVED
7 PLAN OF OPERATION IS INSUFFICIENT TO SATISFY THE REQUIREMENTS OF
8 THIS PART 18, THE COMMISSIONER SHALL PROVIDE AT LEAST THIRTY DAYS'
9 NOTICE TO THE BOARD OF THE COMMISSIONER'S INTENT TO REVOKE
10 APPROVAL OF ALL OR PART OF THE PLAN OF OPERATION. WITHIN THIRTY
11 DAYS AFTER THE COMMISSIONER'S NOTICE OF INTENT TO REVOKE THE PLAN
12 OF OPERATION, THE BOARD MAY SUBMIT A REVISED PLAN OF OPERATION
13 OR REVISED PART OF THE PLAN OF OPERATION FOR THE COMMISSIONER'S
14 REVIEW AND APPROVAL.

15 (b) IF THE BOARD FAILS TO SUBMIT A REVISED PLAN OF OPERATION
16 WITHIN THIRTY DAYS AFTER THE NOTICE PROVIDED PURSUANT TO
17 SUBSECTION (4)(a) OF THIS SECTION, THE COMMISSIONER MAY MAKE
18 SPECIFIC CHANGES TO THE EXISTING PLAN OF OPERATION SO THAT THE
19 PLAN SATISFIES THE REQUIREMENTS OF THIS PART 18. THE
20 COMMISSIONER'S CHANGES TO THE PLAN OF OPERATION DO NOT AFFECT
21 THE VALIDITY OF ANY POLICIES EXECUTED BEFORE THE DATE OF THE
22 CHANGE.

23 (c) IF THE BOARD SUBSEQUENTLY SUBMITS A SUITABLE PLAN OF
24 OPERATION TO SATISFY THE REQUIREMENTS OF THIS PART 18, THAT PLAN
25 OF OPERATION OR AMENDMENTS SUPERSEDES THE COMMISSIONER'S
26 CHANGES.

27 **10-4-1808. FAIR plans - requirements for licensed producers.**

28 THE FAIR PLAN ASSOCIATION SHALL NOT SELL A POLICY SUBJECT TO THIS
29 PART 18 DIRECTLY TO ANY PERSON OR ENTITY. A FAIR PLAN POLICY MAY
30 BE ISSUED ONLY THROUGH A LICENSED PRODUCER WHO SHALL, ON BEHALF
31 OF A PERSON OR ENTITY, INCLUDE EVIDENCE OF AT LEAST THREE
32 DECLINATIONS OF COVERAGE FOR THE PROPERTY AS PART OF THE
33 SUBMITTAL OF AN APPLICATION FOR A POLICY WITH THE FAIR PLAN
34 ASSOCIATION."

35 Renumber succeeding C.R.S. sections.

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