

**First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0801.01 Kristen Forrestal x4217

HOUSE BILL 13-1233

HOUSE SPONSORSHIP

Pabon, DelGrosso, Holbert, Nordberg, Rosenthal, Szabo, Williams

SENATE SPONSORSHIP

King, Heath, Jahn, Tochtrop

House Committees

Business, Labor, Economic, & Workforce Development

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PERMITTING AN INSURER TO CONDUCT INSURANCE**
102 **TRANSACTIONS IN A FOREIGN LANGUAGE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill allows an insurer to conduct transactions in a language other than English through an interpreter. An insurer may offer materials to an insured in a language other than English, but in the event of a dispute, the English language version of a document controls the resolution of the dispute. The bill states that a non-English language

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

policy is deemed to be in compliance with the property and casualty and health care coverage provisions of law if the insurer certifies that the policy is translated from an English language policy that is in compliance with relevant provisions of law.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 10-1-136 as
3 follows:

4 **10-1-136. Insurance policies - language other than English.**

5 (1) AN INSURER MAY CONDUCT TRANSACTIONS IN A LANGUAGE OTHER
6 THAN ENGLISH THROUGH AN EMPLOYEE OR AGENT ACTING AS AN
7 INTERPRETER OR THROUGH AN INTERPRETER PROVIDED BY THE CUSTOMER.

8 (2) AN INSURER AUTHORIZED TO OFFER INSURANCE IN THIS STATE
9 MAY PROVIDE INSURANCE POLICIES, ENDORSEMENTS, RIDERS, AND ANY
10 EXPLANATORY OR ADVERTISING MATERIALS IN A LANGUAGE OTHER THAN
11 ENGLISH. IF AN INSURER OPTS TO PROVIDE MATERIALS TO THE CUSTOMER
12 IN A LANGUAGE OTHER THAN ENGLISH, THE INSURER MUST ALSO PROVIDE
13 THE ENGLISH VERSION OF THE MATERIALS AT THE SAME TIME. IN THE
14 EVENT OF A DISPUTE OR COMPLAINT REGARDING THE INSURANCE OR
15 ADVERTISING MATERIALS, THE ENGLISH LANGUAGE VERSION OF THE
16 INSURANCE DOCUMENT CONTROLS THE RESOLUTION OF THE DISPUTE OR
17 COMPLAINT.

18 (3) A NON-ENGLISH LANGUAGE POLICY DELIVERED OR ISSUED FOR
19 DELIVERY IN THIS STATE IS DEEMED TO BE IN COMPLIANCE WITH ARTICLES
20 4 AND 16 OF THIS TITLE IF THE INSURER CERTIFIES THAT THE POLICY IS
21 TRANSLATED FROM AN ENGLISH LANGUAGE POLICY THAT IS IN
22 COMPLIANCE WITH THIS TITLE. AN INSURER SHALL MAINTAIN COPIES OF
23 ALL TRANSLATED POLICIES, ENDORSEMENTS, RIDERS, AND ANY

1 EXPLANATORY OR ADVERTISING MATERIALS AND MAKE THEM AVAILABLE
2 FOR REVIEW BY THE COMMISSIONER UPON REQUEST.

3 **SECTION 2. Act subject to petition - effective date.** This act
4 takes effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly (August
6 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
7 referendum petition is filed pursuant to section 1 (3) of article V of the
8 state constitution against this act or an item, section, or part of this act
9 within such period, then the act, item, section, or part will not take effect
10 unless approved by the people at the general election to be held in
11 November 2014 and, in such case, will take effect on the date of the
12 official declaration of the vote thereon by the governor.