

**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. 13-0873.01 Duane Gall x4335

SENATE BILL 13-211

SENATE SPONSORSHIP

Heath,

HOUSE SPONSORSHIP

Hullinghorst,

Senate Committees

Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE REQUIREMENTS FOR NOTICE OF TERMINATION OF**
102 **HOMEOWNERS' INSURANCE COVERAGE.**

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>.)

Under current law, an insurer is required to give a policyholder notice of cancellation or nonrenewal of a policy of homeowner's insurance, together with the reasons for the cancellation or nonrenewal, by first-class mail. The bill changes this requirement to specify that the notice must be given by certified mail. The bill also eliminates an

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.*

obsolete cross reference.

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

2 **SECTION 1.** In Colorado Revised Statutes, 10-4-110.7, **amend**
3 (3) as follows:

4 **10-4-110.7. Cancellation or nonrenewal - homeowner's**
5 **insurance policies.** (3) (a) ~~No AN insurer shall NOT cancel or refuse to~~
6 ~~renew a policy of homeowner's insurance unless such THE insurer mails~~
7 ~~by first-class mail to the named insured BY CERTIFIED MAIL, RETURN~~
8 ~~RECEIPT REQUESTED, at the last address shown in the insurer's records, at~~
9 ~~least thirty days in advance, a notice of its intended action pursuant to~~
10 ~~section 10-4-110 that specifically states the reasons for proposing to take~~
11 ~~such THE action. pursuant to section 10-4-110; except that, where~~
12 ~~cancellation is for nonpayment of premium, at least ten days' notice of~~
13 ~~cancellation accompanied by the reasons therefor shall be given.~~

14 (b) AN INSURER SHALL NOT REFUSE TO RENEW A POLICY OF
15 HOMEOWNER'S INSURANCE UNLESS THE INSURER MAILES BY FIRST-CLASS
16 MAIL TO THE NAMED INSURED, AT THE LAST ADDRESS SHOWN IN THE
17 INSURER'S RECORDS, AT LEAST THIRTY DAYS IN ADVANCE, A NOTICE OF ITS
18 INTENDED ACTION.

19 (c) THE INSURER NEED MAKE ONLY ONE ATTEMPT TO SEND THE
20 NOTICE REQUIRED UNDER PARAGRAPH (a) OR (b) OF THIS SUBSECTION (3).
21 IF THE NOTICE IS SENT TO THE CORRECT ADDRESS, AS SHOWN IN THE
22 INSURER'S RECORDS, THE INSURER HAS FULFILLED ITS OBLIGATIONS UNDER
23 THIS SUBSECTION (3) REGARDLESS OF WHETHER A RETURN RECEIPT IS
24 OBTAINED OR THE NOTICE IS RETURNED AS UNDELIVERABLE.

25 **SECTION 2. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.