

House Bill 1070 (AS PASSED HOUSE AND SENATE)

By: Representatives Gaines of the 117th, Dollar of the 45th, Hugley of the 136th, and Wiedower of the 119th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated,
2 relating to condominiums, so as to provide new insurance policy disclosure requirements for
3 condominium associations and unit owners in the event of potential or actual claims related
4 to water damage or water peril filed against such policies; to provide for related matters; to
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to
9 condominiums, is amended in Code Section 44-3-107, relating to insurance coverage, by
10 adding a new subsection to read as follows:

11 "(c) In the event of a potential or submitted claim related to water damage or water peril
12 on any insurance policy obtained by:

13 (1) An association, and upon written request by a unit owner to the association, the
14 association or its designated agent shall, within five business days from the receipt of
15 such request, provide to such owner a copy of the association's certificate of insurance
16 for all such insurance obtained by the association that may apply to such potential claim
17 or submitted claim. Such request shall state an address to which such information shall
18 be directed and shall specify whether such information shall be available for pickup,
19 mailed, or sent by electronic communication along with the specific address for mailing
20 or electronic communication. When such claim related to water damage or water peril
21 has been submitted, and upon written request by a unit owner to the association, the
22 association or its designated agent shall, within five business days from the receipt of
23 such request, provide the name, address, and telephone number of the insurance adjuster,
24 if one has been identified to the association; or

25 (2) A unit owner, and upon written request by an association or its designated agent to
26 a unit owner, the unit owner shall, within five business days from the receipt of such

27 request, provide to the association or its designated agent a copy of the unit owner's
28 certificate of insurance for all such insurance obtained by the unit owner that may apply
29 to the potential claim or actual claim. Such request shall state an address to which such
30 information is to be directed and shall specify whether such information shall be available
31 for pickup, mailed, or sent by electronic communication along with the specific address
32 for mailing or electronic communication. When such claim related to water damage or
33 water peril has been submitted, and upon written request by the association to a unit
34 owner, the unit owner or its designated agent shall, within five business days from the
35 receipt of such request, provide the name, address, and telephone number of the insurance
36 adjuster, if one has been identified to the unit owner.
37 Nothing contained in this subsection shall require an association to obtain insurance related
38 to water damage or water perils."

39

SECTION 2.

40 All laws and parts of laws in conflict with this Act are repealed.