

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 178

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO INSURANCE; AMENDING CHAPTER 24, TITLE 41, IDAHO CODE, BY THE AD-  
2 DITION OF A NEW SECTION 41-2402, IDAHO CODE, TO PROHIBIT AN INSURER FROM  
3 CONSIDERING CERTAIN INQUIRIES OR CLAIMS WHEN CONSIDERING AN APPLICA-  
4 TION FOR, RENEWAL OF, CANCELLATION OF, OR CHANGE IN A PROPERTY INSURANCE  
5 POLICY; AND AMENDING CHAPTER 25, TITLE 41, IDAHO CODE, BY THE ADDITION  
6 OF A NEW SECTION 41-2510A, IDAHO CODE, TO PROHIBIT AN INSURER FROM CON-  
7 sidering CERTAIN INQUIRIES OR CLAIMS WHEN CONSIDERING AN APPLICATION  
8 FOR, RENEWAL OF, CANCELLATION OF, OR CHANGE IN A CASUALTY INSURANCE POL-  
9 ICY.  
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11 Be It Enacted by the Legislature of the State of Idaho:

12 SECTION 1. That Chapter 24, Title 41, Idaho Code, be, and the same is  
13 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
14 ignated as Section 41-2402, Idaho Code, and to read as follows:

15 41-2402. INQUIRIES AND UNPAID CLAIMS. (1) When considering an appli-  
16 cation for, renewal of, cancellation of, or change in a property insurance  
17 policy subject to this title and sold for personal, family, or household pur-  
18 poses, an insurer may not consider the insured's inquiries or claims made to  
19 any insurer that did not result in payment by any insurer.

20 (2) The provisions of subsection (1) of this section shall not apply to  
21 an insurer's consideration of a claim that was the basis for a criminal or  
22 civil insurance fraud action by a state or regulatory enforcement entity.

23 SECTION 2. That Chapter 25, Title 41, Idaho Code, be, and the same is  
24 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
25 ignated as Section 41-2510A, Idaho Code, and to read as follows:

26 41-2510A. INQUIRIES AND UNPAID CLAIMS. (1) When considering an appli-  
27 cation for, renewal of, cancellation of, or change in a casualty insurance  
28 policy subject to this title and sold for personal, family, or household pur-  
29 poses, an insurer may not consider the insured's inquiries or claims made to  
30 any insurer that did not result in payment by any insurer.

31 (2) The provisions of subsection (1) of this section shall not apply to  
32 an insurer's consideration of a claim that was the basis for a criminal or  
33 civil insurance fraud action by a state or regulatory enforcement entity.