

# H.B. 79

## PROPERTY AND CASUALTY CERTIFICATE OF INSURANCE ACT

HOUSE FLOOR AMENDMENTS

AMENDMENT 5

FEBRUARY 14, 2011 10:25 AM

Representative **Todd E. Kiser** proposes the following amendments:

1. *Page 2, Lines 42 through 51:*

42 (1) This part is known as the "Property and Casualty Certificate of Insurance Act."

43 (2) ~~{ This }~~ (a) Except as provided in Subsection (2)(b), this part applies to ~~{~~

44 ~~(a)}~~ a certificate of insurance issued on or after May 10, 2011, as evidence of insurance

45 coverage on property, operations, or risks located in this state ~~{ ; and }~~ .

(b) This part applies on and after July 1, 2012, to a certificate of insurance that is issued as evidence of insurance coverage on property, operations, or risks located in this state if the certificate of insurance is an exhibit to a contract executed before July 1, 2012.

46 ~~{ (b) regardless }~~ (c) This part applies, regardless of where located, to the following in relation to a certificate of insurance

47 described in Subsection (2) ~~{ (a) }~~ (b) :

48 (i) a certificate holder;

49 (ii) a policyholder;

50 (iii) an insurer; or

51 (iv) an insurance producer.

2. *Page 2, Line 58 through Page 3, Line 59:*

58 (2) "Certificate of insurance" means a document that is prepared for or issued to a person who is not a policyholder as evidence

59 of insurance ~~{ coverage }~~ , regardless of how it is titled or described.

3. *Page 4, Lines 102 through 106*

*House Committee Amendments*

*2-4-2011:*

102 ~~{ (4) A certificate of insurance shall contain a statement similar to the following: "This~~  
103 ~~certificate of insurance is issued as a matter of information only and confers no rights upon the~~  
104 ~~certificate holder. This certificate of insurance does not amend, extend, or alter the coverage,~~  
105 ~~terms, exclusions, and conditions afforded by an insurance policy referenced in this certificate~~  
106 ~~of insurance." }~~

4. *Page 4, Lines 109 through 110:*

109 (1) A person may not knowingly request or require the issuance of a certificate of insurance from  
110 an insurer, insurance producer, or policyholder that contains false or misleading information

5. *Page 5, Lines 122 through 131:*

122 31A-22-1706. Notice of cancellation, nonrenewal, or material change.

123 (1) A certificate holder only has a right to a notice of cancellation, nonrenewal, a  
124 material change, or to a similar notice if {~~:~~

125 ~~—— (a) the certificate holder is named as an additional insured in the insurance policy to~~  
126 ~~which the certificate of insurance refers or in an addendum to the insurance policy; and~~

127 ~~—— (b) the insurance policy or an endorsement requires notice to be provided to the~~  
128 ~~certificate holder.}~~ the certificate holder has rights to the notice under the terms of the insurance  
policy to which the certificate of insurance refers, or under any rider, or endorsement to the insurance  
policy.

129 (2) The terms and conditions of a notice described in Subsection (1), including the  
130 required timing of the notice, is governed by the insurance policy. A certificate of insurance  
131 may not alter a term or condition of the notice.