



General Assembly

February Session, 2000

Raised Bill No. 5144

LCO No. 840

Referred to Committee on Judiciary

Introduced by:
(JUD)

An Act Concerning Federal Benefits In Automobile Accident Cases.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subsection (b) of section 38a-336 of the general statutes is repealed
2 and the following is substituted in lieu thereof:

3 (b) An insurance company shall be obligated to make payment to its
4 insured up to the limits of the policy's uninsured and underinsured
5 motorist coverage after the limits of liability under all bodily injury
6 liability bonds or insurance policies applicable at the time of the
7 accident have been exhausted by payment of judgments or settlements,
8 but in no event shall the total amount of recovery from all policies,
9 including any amount recovered under the insured's uninsured and
10 underinsured motorist coverage, exceed the limits of the insured's
11 uninsured and underinsured motorist coverage. In no event shall there
12 be any reduction of uninsured or underinsured motorist coverage
13 limits or benefits payable for amounts received by the insured for
14 Social Security disability benefits paid or payable pursuant to the
15 Social Security Act, 42 USC Section 301, et seq. The limitation on the
16 total amount of recovery from all policies shall not apply to

17 underinsured motorist conversion coverage purchased pursuant to
18 section 38a-336a.

Statement of Purpose:

To provide that the amount of uninsured or underinsured motorist coverage that an insured receives under his or her policy is not reduced by any Social Security disability benefits that the insured receives.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]