



General Assembly

February Session, 2008

**Raised Bill No. 5153**

LCO No. 509

\*00509\_\_\_\_\_INS\*

Referred to Committee on Insurance and Real Estate

Introduced by:  
(INS)

**AN ACT AMENDING THE TIME FRAME FOR DELIVERY OF LOSS INFORMATION TO INSUREDS.**

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

1 Section 1. Section 38a-326 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) Whenever a policy for commercial [automobile insurance or  
4 general liability] risk insurance, as defined in section 38a-663, is  
5 nonrenewed or cancelled for whatever reason by the insured or by the  
6 insurer, the insurer shall furnish the insured with written reports for  
7 the insured portion of the period beginning four years prior to the  
8 nonrenewal or cancellation date and ending six months prior to that  
9 date. Such reports shall include the following: (1) Each policy number;  
10 (2) each period of coverage provided; (3) evidence that the reports are  
11 furnished by the insurer; (4) written premiums; (5) pricing information  
12 as specified by regulations adopted pursuant to subsection (c) of this  
13 section and modifications used if requested by the insured; and (6) a  
14 detailed listing of incurred losses. If the policy is nonrenewed or  
15 cancelled by the insurer for reasons other than those permitting  
16 cancellation upon ten days' notice under section 38a-324, such reports

17 shall be provided to the insured first named in the policy or the  
18 insured's authorized producer, not later than the date of notice of  
19 nonrenewal or cancellation. If the policy is nonrenewed or cancelled by  
20 the insured or cancelled by the insurer for any reason for which ten  
21 days' notice of cancellation is required under section 38a-324, such  
22 reports shall be provided within [sixty] ten days of receipt of the  
23 written request from the insured first named in the policy or the  
24 insured's authorized producer. If subsequent reports updating the  
25 required information are needed to properly rate or to obtain  
26 insurance coverage with a different insurer, such reports shall be  
27 furnished by the prior insurer within sixty days of receipt of a written  
28 request from the insured first named in the policy or the insured's  
29 authorized producer.

30 (b) An insurer shall provide, [upon] not later than ten days of  
31 receipt of a written request by the principal named insured or the  
32 insured's authorized producer, a summary of policy claim information  
33 on a policy for commercial insurance for a period commencing not  
34 more than four years prior to the date of the request. Such information  
35 shall include the following: (1) Each policy number; (2) each period of  
36 coverage; (3) the number of claims; (4) the paid losses of all loss  
37 information; and (5) the date of each loss. For purposes of this  
38 subsection, "principal named insured" shall not include any additional  
39 named insured.

40 (c) The Insurance Commissioner may adopt regulations, in  
41 accordance with the provisions of chapter 54, as deemed necessary to  
42 implement the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	38a-326

**Statement of Purpose:**

To reduce the time it takes to receive loss run reports from insurance companies.

*[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.]*