



General Assembly

January Session, 2013

Raised Bill No. 6476

LCO No. 3270



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:
(INS)

***AN ACT CONCERNING CERTIFICATES OF INSURANCE FOR
PROPERTY AND CASUALTY INSURANCE COVERAGE.***

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

1 Section 1. (NEW) (*Effective October 1, 2013*) (a) As used in this
2 section, "certificate of insurance" means a document or instrument that
3 is prepared or issued by an insurer or insurance producer as evidence
4 of personal risk insurance or commercial risk insurance, as both terms
5 are defined in section 38a-663 of the general statutes, that is issued on
6 property, operations or risks located in this state. "Certificate of
7 insurance" does not include an insurance policy, a binder, an
8 endorsement or an automobile insurance identification or information
9 card.

10 (b) (1) All certificates of insurance forms for personal or commercial
11 risk insurance delivered or issued for delivery in this state shall be
12 filed with the Insurance Commissioner. The commissioner shall
13 establish a procedure for review of such forms and shall disapprove
14 any such form at any time if it contains any provision that is unfair,
15 misleading or deceptive or that is contrary to any provision of the

16 insurance laws of this state or any rule or regulation promulgated
17 thereunder. If the commissioner issues an order disapproving the use
18 of such form, such insurer shall not thereafter issue or use such form.
19 In such notice, the commissioner shall specify the reason for the order
20 of disapproval. The provisions of section 38a-19 of the general statutes
21 shall apply to any such order issued by the commissioner.

22 (2) In lieu of filing such forms, an insurer or insurance producer
23 may use standard certificate of insurance forms developed by an
24 industry organization that has been approved by the commissioner.
25 The commissioner shall approve at least two such organizations for
26 such use. Any insurer or insurance producer using such forms shall
27 certify to the commissioner that such insurer or insurance producer is
28 using such forms and shall identify each specific form being used and
29 the industry organization that developed such form. Any such insurer
30 or insurance producer shall update such certification when such
31 insurer or insurance producer changes its use of any such form.

32 (c) No person shall (1) alter or modify the format of a certificate of
33 insurance form that has been filed with the commissioner or
34 developed by an approved industry organization, (2) prepare, deliver
35 or issue for delivery a certificate of insurance that contains false or
36 misleading information about the coverage provided by the referenced
37 insurance policy, (3) prepare the alteration or amendment of a
38 certificate of insurance or deliver or issue for delivery a new certificate
39 of insurance unless such alteration, amendment or new certificate
40 accurately reflects the provisions of the referenced insurance policy, or
41 (4) represent that (A) a certificate of insurance confers new or
42 additional rights to any person beyond those provided for in the
43 referenced insurance policy, (B) amending such certificate will alter,
44 amend or extend the coverage provided by the referenced insurance
45 policy, or (C) the inclusion of a contract number on a certificate of
46 insurance warrants that the referenced insurance policy complies with
47 the insurance or indemnification requirements in such referenced
48 contract.

49 (d) No person shall request or require another person to perform
50 any act that violates the provisions of subsection (c) of this section.

51 (e) The commissioner may conduct an investigation, pursuant to
52 section 38a-16 of the general statutes, of any person the commissioner
53 reasonably believes has been or is engaged in a violation of any
54 provision of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	New section

Statement of Purpose:

To regulate certificates of insurance.

[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.]