



General Assembly

Amendment

February Session, 2022

LCO No. 6165



Offered by:
REP. WOOD K., 29th Dist.

To: Subst. House Bill No. 5411 File No. 376 Cal. No. 265

"AN ACT CONCERNING TRAVEL INSURANCE."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 38a-1 of the 2022 supplement to the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective October 1, 2022*):

6 Terms used in this title, and sections 3 to 8, inclusive, of this act,
7 unless it appears from the context to the contrary, shall have a scope and
8 meaning as set forth in this section.

9 (1) "Affiliate" or "affiliated" means a person that directly, or indirectly
10 through one or more intermediaries, controls, is controlled by or is
11 under common control with another person.

12 (2) "Alien insurer" means any insurer that has been chartered by or
13 organized or constituted within or under the laws of any jurisdiction or
14 country without the United States.

15 (3) "Annuities" means all agreements to make periodical payments
16 where the making or continuance of all or some of the series of the
17 payments, or the amount of the payment, is dependent upon the
18 continuance of human life or is for a specified term of years. This
19 definition does not apply to payments made under a policy of life
20 insurance.

21 (4) "Commissioner" means the Insurance Commissioner.

22 (5) "Control", "controlled by" or "under common control with" means
23 the possession, direct or indirect, of the power to direct or cause the
24 direction of the management and policies of a person, whether through
25 the ownership of voting securities, by contract other than a commercial
26 contract for goods or nonmanagement services, or otherwise, unless the
27 power is the result of an official position with the person.

28 (6) "Domestic insurer" means any insurer that has been chartered by,
29 incorporated, organized or constituted within or under the laws of this
30 state.

31 (7) "Domestic surplus lines insurer" means any domestic insurer that
32 has been authorized by the commissioner to write surplus lines
33 insurance.

34 (8) "Foreign country" means any jurisdiction not in any state, district
35 or territory of the United States.

36 (9) "Foreign insurer" means any insurer that has been chartered by or
37 organized or constituted within or under the laws of another state or a
38 territory of the United States.

39 (10) "Insolvency" or "insolvent" means, for any insurer, that it is
40 unable to pay its obligations when they are due, or when its admitted
41 assets do not exceed its liabilities plus the greater of: (A) Capital and
42 surplus required by law for its organization and continued operation;
43 or (B) the total par or stated value of its authorized and issued capital
44 stock. For purposes of this subdivision "liabilities" shall include but not

45 be limited to reserves required by statute or by regulations adopted by
46 the commissioner in accordance with the provisions of chapter 54 or
47 specific requirements imposed by the commissioner upon a subject
48 company at the time of admission or subsequent thereto.

49 (11) "Insurance" means any agreement to pay a sum of money,
50 provide services or any other thing of value on the happening of a
51 particular event or contingency or to provide indemnity for loss in
52 respect to a specified subject by specified perils in return for a
53 consideration. In any contract of insurance, an insured shall have an
54 interest which is subject to a risk of loss through destruction or
55 impairment of that interest, which risk is assumed by the insurer and
56 such assumption shall be part of a general scheme to distribute losses
57 among a large group of persons bearing similar risks in return for a
58 ratable contribution or other consideration.

59 (12) "Insurer" or "insurance company" includes any person or
60 combination of persons doing any kind or form of insurance business
61 other than a fraternal benefit society, and shall include a receiver of any
62 insurer when the context reasonably permits.

63 (13) "Insured" means a person to whom or for whose benefit an
64 insurer makes a promise in an insurance policy. The term includes
65 policyholders, subscribers, members and beneficiaries. This definition
66 applies only to the provisions of this title and does not define the
67 meaning of this word as used in insurance policies or certificates.

68 (14) "Life insurance" means insurance on human lives and insurances
69 pertaining to or connected with human life. The business of life
70 insurance includes granting endowment benefits, granting additional
71 benefits in the event of death by accident or accidental means, granting
72 additional benefits in the event of the total and permanent disability of
73 the insured, and providing optional methods of settlement of proceeds.
74 Life insurance includes burial contracts to the extent provided by
75 section 38a-464.

76 (15) "Mutual insurer" means any insurer without capital stock, the

77 managing directors or officers of which are elected by its members.

78 (16) "Person" means an individual, a corporation, a partnership, a
79 limited liability company, an association, a joint stock company, a
80 business trust, an unincorporated organization or other legal entity.

81 (17) "Policy" means any document, including attached endorsements
82 and riders, purporting to be an enforceable contract, which
83 memorializes in writing some or all of the terms of an insurance
84 contract.

85 (18) "State" means any state, district, or territory of the United States.

86 (19) "Subsidiary" of a specified person means an affiliate controlled
87 by the person directly, or indirectly through one or more intermediaries.

88 (20) "Unauthorized insurer" or "nonadmitted insurer" means an
89 insurer that has not been granted a certificate of authority by the
90 commissioner to transact the business of insurance in this state or an
91 insurer transacting business not authorized by a valid certificate.

92 (21) "United States" means the United States of America, its territories
93 and possessions, the Commonwealth of Puerto Rico and the District of
94 Columbia.

95 Sec. 2. Section 38a-398 of the general statutes is repealed and the
96 following is substituted in lieu thereof (*Effective October 1, 2022*):

97 [(a) As used in] For the purposes of this section and sections 3 to 8,
98 inclusive, of this act:

99 [(1) "Travel insurance" means insurance, provided under an
100 individual or a group or master insurance policy, for the following
101 personal risks incident to planned travel: (A) Interruption or
102 cancellation of a trip or an event; (B) loss of baggage or personal effects;
103 (C) damage to accommodations or rental vehicles; or (D) sickness,
104 accident, disability or death occurring during travel;]

105 (1) "Aggregator web site" means an Internet web site that provides
106 access to information concerning insurance products from more than
107 one insurer, including, but not limited to, product and insurer
108 information, for use in insurance product comparison shopping.

109 (2) "Blanket travel insurance policy" means a policy of travel
110 insurance issued to an eligible group that provides coverage: (A) For
111 specific classes of persons defined in such policy of travel insurance; and
112 (B) to all members of such eligible group without imposing a separate
113 charge on any individual member of such eligible group.

114 (3) "Cancellation fee waiver" means a noninsurance contractual
115 agreement between a supplier of travel services and a consumer to
116 wave some or all of the nonrefundable cancellation fee provisions of
117 such supplier's underlying travel contract regardless of the reason for
118 the cancellation or form of reimbursement.

119 (4) "Designated travel retailer" means a travel retailer designated by
120 a limited lines travel insurance producer to offer and disseminate travel
121 insurance to residents of this state on behalf of the limited lines travel
122 insurance producer.

123 (5) "Eligible group" means, with respect to travel insurance, a group
124 of two or more persons who are engaged in a common enterprise or
125 have an economic, educational or social affinity or relationship,
126 including, but not limited to: (A) Any entity that is engaged in the
127 business of providing travel or travel services, including, but not limited
128 to, tour operators, lodging providers, vacation property owners, hotels,
129 resorts, travel clubs, travel agencies, property managers, cultural
130 exchange programs and common carriers, including, but not limited to,
131 airlines, cruise lines, railroads, steamship companies and public bus
132 carriers, provided all members or customers of such group have a
133 common exposure to risk attendant to travel with respect to a particular
134 type of travel or traveler; (B) a college, school or other institution of
135 learning, provided any blanket travel insurance policy issued to the
136 college, school or other institution of learning provides coverage for the

137 students, teachers, employees or volunteers of such college, school or
138 institution of higher learning; (C) an employer, provided any blanket
139 travel insurance policy issued to the employer provides coverage for a
140 group of employees, volunteers, contractors, directors, dependents or
141 guests of such employer; (D) a sports team, camp or sponsor of such
142 sports team or camp, provided any blanket travel insurance policy
143 issued to such team, camp or sponsor provides coverage for
144 participants, members, campers, employees, officials, supervisors or
145 volunteers of such team, camp or sponsor; (E) a religious, charitable,
146 recreational, educational or civic organization, or branch of such
147 religious, charitable, recreational, educational or civic organization,
148 provided any blanket travel insurance policy issued to such
149 organization or branch provides coverage for a group of members,
150 participants or volunteers of such organization or branch; (F) a financial
151 institution or financial institution vendor, or a parent holding company,
152 trustee or agent of, or designated by, one or more financial institutions
153 or financial institution vendors, including, but not limited to, account
154 holders, credit card holders, debtors, guarantors or purchasers; (G) an
155 incorporated or unincorporated association, including, but not limited
156 to, a labor union, that has a common interest, constitution and bylaws
157 and is maintained, in good faith, for a purpose other than obtaining
158 insurance for members of, or participants in, such association covering
159 the members of such association; (H) a trust or the trustees of a fund
160 approved by the commissioner and established, created or maintained
161 for the benefit of, and covering, members, employees or customers of
162 one or more of the associations described in subparagraph (G) of this
163 subdivision; (I) an entertainment production company, provided any
164 blanket travel insurance policy issued to the entertainment production
165 company provides coverage for a group of participants, volunteers,
166 audience members, contestants or workers of such entertainment
167 production company; (J) a volunteer fire department, police
168 department, ambulance service, first aid service, rescue service, court or
169 civil defense organization, or any similar voluntary group; (K) a
170 preschool, daycare institution for children or adults or a senior citizen
171 club; (L) an automobile or truck rental or leasing company covering,

172 under a blanket travel insurance policy, a group of individuals who may
173 become renters or lessees of, or passengers on, a rented or leased
174 automobile or truck due to their travel status on such rented or leased
175 automobile or truck, provided the common carrier, operator, owner or
176 lessor of the rented or leased automobile or truck, or the automobile or
177 truck rental or leasing company, is the policyholder of the blanket travel
178 insurance policy providing such coverage; or (M) any other group if the
179 commissioner determines the members are engaged in a common
180 enterprise, or have an economic, educational or social affinity or
181 relationship and issuance of the policy is not in conflict with the public
182 interest.

183 (6) "Fulfillment materials" means documentation sent to a purchaser
184 of a travel protection plan that (A) confirms purchase of such travel
185 protection plan, and (B) provides the coverage and assistance details for
186 such travel protection plan.

187 (7) "Group travel insurance" means travel insurance issued to an
188 eligible group.

189 [(2)] (8) "Limited lines travel insurance producer" means [an
190 individual who or business entity that is authorized under subsection
191 (b) of this section to sell, solicit or negotiate travel insurance;] a (A)
192 licensed managing general agent or third-party administrator, (B)
193 licensed insurance producer, including a limited lines producer,
194 designated by an insurer as the travel insurance supervising entity, or
195 (C) travel administrator.

196 [(3) "Offer and disseminate,"] (9) "Offer and disseminate" means, with
197 respect to travel insurance, [means] the provision of general information
198 about or general services for travel insurance, including: (A) A
199 description of the coverage and price of a policy of travel insurance;
200 [policy;] (B) the processing of an application for a policy of travel
201 insurance; [policy;] (C) the collection of a premium for a policy of travel
202 insurance; [policy;] or (D) the performance of other activities not
203 requiring a license and permitted in this state concerning a policy of

204 travel insurance. [policy;]

205 (10) "Primary certificate holder" means an individual who elects
206 coverage under and purchases travel insurance provided under a policy
207 of group travel insurance.

208 (11) "Primary policyholder" means an individual who elects and
209 purchases travel insurance provided under an individual policy of
210 travel insurance.

211 (12) "Travel administrator" means a person who, directly or
212 indirectly, underwrites travel insurance, collects charges, collateral or
213 premiums in connection with travel insurance or adjusts or settles travel
214 insurance claims for residents of this state, unless such person: (A)
215 Works for, and to the extent that such person's activities are subject to
216 the supervision and control of, a travel administrator; (B) is a licensed
217 insurance producer selling insurance or engaged in administrative and
218 claims-related activities within the scope of such insurance producer's
219 license; (C) is a designated travel retailer offering and disseminating
220 travel insurance and registered under the license of a limited lines travel
221 insurance producer; (D) is an individual adjusting or settling claims in
222 such individual's normal course of business or practice, or a lawyer
223 settling a client's claim and who does not collect charges or premiums
224 in connection with insurance transactions; or (E) is a business entity
225 affiliated with a licensed insurer and administering the direct and
226 assumed travel insurance business of such licensed affiliated insurer.

227 (13) "Travel assistance services" means any noninsurance services for
228 which a consumer is not indemnified based on a fortuitous event and
229 where providing such noninsurance services does not transfer or shift
230 any risk in a manner that constitutes the business of insurance,
231 including, but not limited to: (A) Security advisories; (B) destination
232 information; (C) vaccination and immunization information services;
233 (D) travel reservation services; (E) entertainment; (F) activity and event
234 planning; (G) translation assistance; (H) emergency messaging; (I)
235 international legal and medical referrals; (J) medical case monitoring;

236 (K) transportation arrangement coordination; (L) emergency cash
237 transfer assistance; (M) medical prescription replacement assistance; (N)
238 passport and other travel document replacement assistance; (O) lost
239 luggage assistance; (P) concierge services; and (Q) any service furnished
240 in connection with a planned trip or travel.

241 (14) (A) "Travel insurance" means insurance, provided under an
242 individual, group or blanket insurance policy, for the following
243 personal risks incident to planned travel: (i) Interruption or cancellation
244 of a trip or an event; (ii) loss of baggage or personal effects; (iii) damage
245 to accommodations or rental vehicles; (iv) sickness, accident, disability
246 or death occurring during travel; (v) emergency evacuation; (vi)
247 repatriation of remains; or (vii) any other contractual obligation to
248 indemnify or pay a specified amount to a traveler upon determinable
249 contingencies that are related to travel as approved by the
250 commissioner.

251 (B) "Travel insurance" does not include: (i) Major medical plans that
252 provide comprehensive medical protection for a traveler with a trip
253 lasting longer than six months, including, but not limited to, a traveler
254 working or residing outside of the United States as an expatriate; or (ii)
255 a product that requires a specific insurance producer license.

256 (15) "Travel protection plan" means a plan that includes travel
257 insurance, travel assistance services or a cancellation fee waiver.

258 [(4)] (16) "Travel retailer" means a business entity that makes,
259 arranges or offers [travel services; and] planned travel and may offer
260 and disseminate travel insurance as a service to its customers on behalf
261 of a limited lines travel insurance producer and under the direction of
262 such travel insurance producer.

263 [(5) "Designated travel retailer" means a travel retailer designated by
264 a limited lines travel insurance producer to offer and disseminate travel
265 insurance to residents of this state on such producer's behalf.

266 (b) (1) (A) Any individual or business entity that wishes to act as a

267 limited lines travel insurance producer in this state may apply to the
268 Insurance Commissioner for authorization to act as a limited lines travel
269 insurance producer and to sell, solicit or negotiate travel insurance
270 through an insurance company licensed or authorized to do business in
271 this state. Such application shall be submitted on such form and in such
272 manner as prescribed by the commissioner and shall be accompanied
273 by the fee required under section 38a-11. The commissioner shall not
274 approve such application unless (i) the applicant has paid all applicable
275 filing and licensing fees required under this title, and (ii) for an applicant
276 that is a business entity, the employee designated pursuant to
277 subparagraph (A) of subdivision (3) of this subsection and the president,
278 secretary, treasurer and any other officer or individual who directs or
279 controls the insurance operations of the applicant has complied with
280 any fingerprinting requirements applicable to insurance producers in
281 the resident state of the applicant.

282 (B) The commissioner may approve or deny such application. Any
283 such authorization shall be in force until the commissioner suspends or
284 revokes such authorization or the commissioner suspends, revokes or
285 refuses to renew the individual's or insurance company's license or
286 authorization to do business in this state.

287 (2) Each limited lines travel insurance producer that is a business
288 entity shall, at the time such application is approved by the
289 commissioner, establish and maintain a registry, on a form prescribed
290 by the commissioner, of its designated travel retailers. Such producer
291 shall update the registry annually and shall include: (A) The name,
292 address and contact information of each designated travel retailer; (B)
293 the name, address and contact information of an officer or individual
294 who directs or controls each designated travel retailer's operations; (C)
295 the federal tax identification number of each designated travel retailer;
296 and (D) a certification by such producer that the designated travel
297 retailer has not engaged in conduct prohibited under 18 USC 1033, as
298 amended from time to time. Upon request by the commissioner, a
299 limited lines travel insurance producer shall make such registry
300 available to the commissioner or the commissioner's designee for

301 inspection and examination during the regular business hours of such
302 limited lines travel insurance producer.

303 (3) (A) Each limited lines travel insurance producer that is a business
304 entity shall designate an employee, who is an insurance producer
305 licensed in this state, as the individual responsible for the limited lines
306 travel insurance producer's compliance with this section, including
307 supervision of its designated travel retailers.

308 (B) Each limited lines travel insurance producer that is a business
309 entity shall be responsible for the acts of its designated travel retailers
310 and shall use reasonable means to ensure each designated travel
311 retailer's compliance with this section.

312 (4) Each limited lines travel insurance producer that is a business
313 entity shall require each employee and authorized representative of its
314 designated travel retailers to receive instruction or training on the offer
315 and dissemination of travel insurance. Such instruction or training may
316 be subject to review by the commissioner and shall include, at a
317 minimum, information about (A) the types of travel insurance offered
318 through the travel retailer, (B) ethical sales practices, and (C) required
319 disclosures to prospective insureds.

320 (5) Each limited lines travel insurance producer that is a business
321 entity or designated travel retailer shall provide to purchasers of a travel
322 insurance policy: (A) A description or a copy of the material terms of
323 such policy; (B) a description of the process for filing a claim under such
324 policy; (C) a description of the process for the review or cancellation of
325 such policy; and (D) the identity of and contact information for the
326 insurance company issuing such policy and the limited lines travel
327 insurance producer.

328 (c) (1) A travel retailer that does not employ a licensed insurance
329 producer or is not licensed or authorized to transact the business of
330 insurance in this state may offer and disseminate travel insurance to
331 residents of this state, if (A) it is a designated travel retailer, and (B) its
332 travel insurance-related activities are limited to those authorized under

333 this section.

334 (2) A travel retailer shall make available to prospective insureds
335 brochures or other written materials that: (A) Provide the identity of and
336 contact information for the insurance company issuing the travel
337 insurance policy and the limited lines travel insurance producer; (B)
338 explain that the purchase of travel insurance is not required to purchase
339 any other product or service from the travel retailer; and (C) explain that
340 such travel retailer is permitted to provide general information about
341 the travel insurance offered through the travel retailer, including a
342 description of the coverage and price, but is not qualified or authorized
343 to answer questions about the terms and conditions of such travel
344 insurance or evaluate the adequacy of the prospective insured's existing
345 insurance coverage.

346 (3) A designated travel retailer may receive compensation from a
347 limited lines travel insurance producer or the insurance company
348 issuing a travel insurance policy for services related to the offer and
349 dissemination of travel insurance as agreed to by such designated travel
350 retailer and such limited lines travel insurance producer or insurance
351 company.

352 (4) An employee or authorized representative of a travel retailer shall
353 not be required to be licensed as an insurance producer unless such
354 employee or authorized representative: (A) Evaluates or interprets the
355 terms, benefits or conditions of travel insurance offered by the travel
356 retailer; (B) evaluates or provides advice regarding a prospective
357 insured's existing insurance coverage; or (C) holds himself or herself out
358 as a licensed insurance producer or an insurance expert.

359 (d) (1) A violation of this section by a limited lines travel insurance
360 producer shall be deemed an unfair or deceptive insurance practice
361 under section 38a-816.

362 (2) A violation of this section by a travel retailer shall be deemed an
363 unfair or deceptive trade practice under subsection (a) of section 42-
364 110b.]

365 Sec. 3. (NEW) (*Effective October 1, 2022*) (a) Travel insurance shall be
366 classified and filed in this state, for the purposes of rates and forms,
367 under an inland marine line of insurance, except if travel insurance
368 provides coverage for sickness, accident, disability or death occurring
369 during travel, either exclusively or in conjunction with related
370 coverages of emergency evacuation or repatriation of remains, or
371 incidental limited property and casualty benefits such as baggage or trip
372 cancellation, such travel insurance may be filed in this state under either
373 an accident and health line of insurance or an inland marine line of
374 insurance.

375 (b) Travel insurance may be in the form of an individual, group or
376 blanket policy.

377 (c) The commissioner may prescribe eligibility and underwriting
378 standards for travel insurance, provided such standards are based on
379 travel protection plans designed for individual or identified marketing
380 or distribution channels and meet this state's underwriting standards
381 for inland marine lines of insurance.

382 Sec. 4. (NEW) (*Effective October 1, 2022*) (a) All persons offering travel
383 insurance in this state are subject to section 38a-816 of the general
384 statutes, except as otherwise provided in this section.

385 (b) Offering or selling a travel insurance policy that cannot
386 reasonably result in payment of claims for an insured under the policy
387 is an unfair trade practice under section 38a-816 of the general statutes.

388 (c) All documents provided to a consumer prior to the purchase of a
389 policy of travel insurance, including, but not limited to, sales materials,
390 advertising materials and marketing materials, shall be consistent with
391 the policy of travel insurance, including, but not limited to, forms,
392 endorsements, policies, rate filings and certificates of insurance.

393 (d) If a policy or certificate of travel insurance contains any
394 preexisting condition exclusion, information concerning, and an
395 opportunity to learn more about, such preexisting condition exclusion

396 shall be provided to a consumer at any time prior to the time that the
397 consumer purchases such policy or certificate of travel insurance, and
398 any such preexisting condition exclusion shall be provided to a
399 consumer in the fulfillment materials for a travel protection plan that
400 includes travel insurance.

401 (e) (1) If a consumer purchases a travel protection plan in this state,
402 the following shall be provided to the consumer as soon as practicable
403 following the time that such consumer purchases such travel protection
404 plan:

405 (A) The fulfillment materials for such travel protection plan;

406 (B) A description, or a copy of, the material terms of any travel
407 insurance coverage included in such travel protection plan;

408 (C) A description of the process for filing a claim under any travel
409 insurance coverage included in such travel protection plan;

410 (D) A description of the process for review or cancellation of any
411 travel insurance coverage included in such travel protection plan; and

412 (E) The identity of, and contact information for, the insurer issuing
413 any travel insurance coverage included in such travel protection plan.

414 (2) Unless the insured departs on a covered trip, or files a claim under
415 such coverage, the policyholder or certificate holder may cancel the
416 policy or certificate for a full refund of the travel protection plan price
417 from the date of purchase of the travel protection plan until at least:

418 (A) Fifteen days following the date of delivery of such travel
419 protection plan's fulfillment materials by mail; or

420 (B) Ten days following the date of delivery of such travel protection
421 plan's fulfillment materials by any means other than mail. For the
422 purposes of this subparagraph and subparagraph (A) of subdivision (2)
423 of subsection (e) of this section, delivery means handling fulfillment
424 materials to the policyholder or certificate holder or sending fulfillment

425 materials by mail or electronic means to the policyholder or certificate
426 holder.

427 (3) The fulfillment materials for a travel protection plan, and the
428 documents concerning any travel insurance coverage included in the
429 travel protection plan, shall disclose whether the travel insurance
430 coverage included in such travel protection plan is primary or
431 secondary to other applicable coverage.

432 (f) It shall not be an unfair trade practice when travel insurance
433 coverage is directly marketed to a consumer through an insurer's
434 Internet web site or an aggregator web site, and the consumer may
435 access all provisions of such travel insurance coverage by electronic
436 means, and an accurate summary or short description of such travel
437 insurance coverage is provided on the insurer's Internet web site or
438 aggregator web site.

439 (g) No person offering, soliciting or negotiating travel insurance or
440 travel protection plans to consumers in this state on an individual or
441 group basis may do so by using a negative option or opt-out, which
442 would require a consumer to take an affirmative action to deselect travel
443 insurance coverage, by, for example, unchecking a box on an electronic
444 form, when the consumer purchases a trip.

445 (h) It shall be an unfair trade practice to market blanket travel
446 insurance coverage as free.

447 (i) When a consumer's destination jurisdiction requires insurance
448 coverage, it shall not be an unfair trade practice to require a consumer
449 to choose between the following options as a condition of purchasing a
450 trip or travel package:

451 (1) Purchasing the coverage required by the destination jurisdiction
452 through the designated travel retailer, as that term is defined in
453 subdivision (5) of subsection (a) of section 38a-398 of the general
454 statutes, as amended by this act, or limited lines travel insurance
455 producer supplying the trip or travel package; or

456 (2) Agreeing to obtain and provide proof of coverage that meets the
457 destination jurisdiction's requirements prior to departure.

458 Sec. 5. (NEW) (*Effective October 1, 2022*) (a) No person shall act as, or
459 hold itself out to be, a travel administrator in this state unless such
460 person is:

461 (1) An insurance producer licensed for property and casualty
462 insurance lines in this state;

463 (2) A managing general agent, as defined in section 38a-90a of the
464 general statutes, that is licensed as an insurance producer and holds an
465 appointment by an insurer in this state; or

466 (3) A third-party administrator licensed pursuant to section 38a-720j
467 of the general statutes.

468 (b) A travel administrator and its employees are exempt from the
469 licensing requirements of section 38a-792 of the general statutes, as
470 amended by this act, for travel insurance it administers.

471 (c) Each insurer shall be responsible for the conduct of each travel
472 administrator administering travel insurance in this state underwritten
473 by such insurer, and shall ensure that each such travel administrator
474 maintains, and makes available to the commissioner upon request, all
475 books and records concerning such insurer.

476 Sec. 6. (NEW) (*Effective October 1, 2022*) A travel protection plan may
477 be offered to a consumer in this state for a single price reflecting any
478 combined features offered by the travel protection plan if:

479 (1) Such travel protection plan:

480 (A) Discloses to the consumer, at or before the time of purchase, that
481 such travel protection plan includes travel insurance, travel assistance
482 services and cancellation fee waivers, as applicable, and that such
483 consumer may obtain additional information regarding the individual
484 features and pricing of such travel insurance, travel assistance services

485 and cancellation fee waivers, as applicable; and

486 (B) Provides to the consumer, at or before the time of purchase, an
487 opportunity to obtain the additional information described in
488 subparagraph (A) of this subdivision; and

489 (2) The fulfillment materials for such travel protection plan:

490 (A) Describe and delineate the travel insurance, travel assistance
491 services and cancellation fee waivers, if any, in such travel protection
492 plan; and

493 (B) Include any required disclosure concerning the travel insurance
494 coverage included in such travel protection plan, if any, and the contact
495 information for the persons providing the travel assistance services and
496 cancellation fee waivers included in such travel protection plan, if any.

497 Sec. 7. (NEW) (*Effective October 1, 2022*) (a) (1) A travel insurer shall
498 be subject to the tax imposed under sections 12-202 and 12-210 of the
499 general statutes for travel insurance premiums paid by:

500 (A) The primary policyholder of an individual policy of travel
501 insurance if such primary policyholder is a resident of this state;

502 (B) The primary certificate holder of a policy of group travel
503 insurance if such primary certificate holder is a resident of this state; or

504 (C) A policyholder of a blanket travel insurance policy if the
505 policyholder is a resident of this state, maintains such policyholder's
506 principal place of business in this state or an affiliate or subsidiary of
507 such policyholder maintains such affiliate's or subsidiary's principal
508 place of business in this state.

509 (2) If a domestic insurer, alien insurer or foreign insurer that writes a
510 blanket travel insurance policy described in subparagraph (C) of
511 subdivision (1) of this subsection is subject to rules across multiple
512 taxing jurisdictions that permit such insurer to allocate premiums across
513 such jurisdictions on an apportioned basis and in a reasonable and

514 equitable manner, such insurer's liability under said subparagraph shall
515 be subject to such premium allocation.

516 (b) Each domestic insurer, alien insurer and foreign insurer that is
517 subject to the provisions of subsection (a) of this section shall:

518 (1) Document the state in which each primary policyholder, primary
519 certificate holder, policyholder, affiliate or subsidiary described in
520 subsection (a) of this section maintains such primary policyholder's,
521 primary certificate holder's, policyholder's, affiliate's or subsidiary's
522 primary residence or principal place of business, as applicable; and

523 (2) Report as premium only the amount allocable to travel insurance
524 and not any amounts received for travel assistance services or
525 cancellation fee waivers.

526 Sec. 8. (NEW) (*Effective October 1, 2022*) The commissioner may adopt
527 regulations, in accordance with chapter 54 of the general statutes, to
528 implement the provisions of section 38a-398 of the general statutes, as
529 amended by this act, and sections 3 to 7, inclusive, of this act.

530 Sec. 9. Subsection (d) of section 38a-792 of the general statutes is
531 repealed and the following is substituted in lieu thereof (*Effective October*
532 *1, 2022*):

533 (d) The provisions of this section shall not apply to any:

534 (1) (A) Individual who, for purposes of claims for portable electronics
535 insurance, as defined in section 38a-397, only (i) collects claim
536 information from or furnishes claim information to insureds or
537 claimants, and (ii) conducts data entry, including data entry into an
538 automated claims adjudication system, provided (I) such individual is
539 an employee of a casualty insurance company licensed in this state, an
540 employee of a casualty claims adjuster licensed in this state or an
541 employee of an affiliate of such insurance company or adjuster, and (II)
542 not more than twenty-five such individuals are under the supervision
543 of a casualty claims adjuster licensed in this state or an insurance

544 producer who adjusts portable electronics insurance claims and is
545 licensed in this state. A licensed insurance producer who adjusts
546 portable electronics insurance claims or supervises individuals
547 pursuant to this subparagraph shall not be required to be licensed as a
548 casualty claims adjuster.

549 (B) For purposes of this subdivision, "automated claims adjudication
550 system" means a preprogrammed computer system, designed for the
551 collection, data entry, calculation and final resolution of portable
552 electronics insurance claims, that (i) is used only by a supervised
553 individual, a casualty claims adjuster licensed in this state or an
554 insurance producer licensed in this state, in accordance with
555 subparagraph (A) of this subdivision, and (ii) complies with all
556 applicable claims payment requirements under this title; [or]

557 (2) Member of the bar of this state in good standing who is engaged
558 in the general practice of the law; or

559 (3) Travel administrator, as defined in section 38a-398, as amended
560 by this act, or employee of a travel administrator for travel insurance, as
561 defined in said section, administered by such travel administrator."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	38a-1
Sec. 2	October 1, 2022	38a-398
Sec. 3	October 1, 2022	New section
Sec. 4	October 1, 2022	New section
Sec. 5	October 1, 2022	New section
Sec. 6	October 1, 2022	New section
Sec. 7	October 1, 2022	New section
Sec. 8	October 1, 2022	New section
Sec. 9	October 1, 2022	38a-792(d)