

Insurance and Real Estate Committee

JOINT FAVORABLE REPORT

Bill No.: HB-6635

Title: AN ACT CONCERNING DOG BREED INSURANCE UNDERWRITING.

Vote Date: 3/16/2023

Vote Action: Joint Favorable Substitute Change of Reference to Judiciary

PH Date: 2/16/2023

File No.:

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SPONSORS OF BILL:

Insurance and Real Estate Committee

Rep. Tammy Nuccio, 53rd Dist.

Rep. David Michel, 146th Dist.

Sen. Saud Anwar, 3rd Dist.

REASONS FOR BILL:

Under current statute, insurance companies can charge increased premiums or deny coverage for a dog owner on the basis of the breed of their dog. As members of the public testified, there is limited evidence that any particular breed is more or less likely to be dangerous. This bill would prevent insurance companies from solely using a dog's breed to determine premium rates or coverage denial in the underwriting process.

SUBSTITUTE LANGUAGE:

Section one was amended to add the word "solely". Every other section after section one is new language. Due to amending section 22-357 from a strict liability standard to negligence, several other statutes were amended to alter the standard from strict liability to negligence or to "notwithstanding" section 22-357.

RESPONSE FROM ADMINISTRATION/AGENCY:

Connecticut Insurance Department, Legislative Program Manager and Communications Director, Jim Carson: supports this legislation and states that it would not prevent insurance companies from charging additional premiums or declining coverage for a dog that has a history of being dangerous but that it would only prevent insurance companies from discriminating purely on the basis of breed. It is further stated that there is an

absence of evidence that particular breeds are any more or less dangerous and that this bill would prevent undue discrimination.

NATURE AND SOURCES OF SUPPORT:

CT Votes for Animals, Executive Director, Jo-Anne Basile: states that this bill would bring Connecticut in line with statistical evidence that shows that dog breed does not correlate with risk. It is further stated that homeowners with restricted breeds face high premiums, coverage denial, and the need to part with their pets because of this underwriting and that this bill would still allow insurance companies to deny coverage based on individual pets but not breeds as a whole.

Pet Advocacy Network, Senior Director of Government Affairs, Alyssa Miller-Hurley: states that this bill would prevent insurance companies from denying coverage or increasing premiums for pet owners on the basis of their dog's breed. It is further stated that the state of Connecticut passed a law in 2013 preventing municipalities from passing breed specific ordinances and so this would bring the state's laws in line with that policy. It is further stated that dog breed alone is not a good indicator of disposition and that behavioral specialists have determined that dangerous disposition is more a result of training and care rather than breed.

Colonial Rottweiler Club, Secretary, Sarah Janner: states that in her experience Rottweiler owners have been denied home and renter's insurance because of the breed of their dog. It is further stated that Ms. Janner has had multiple Rottweiler's win "best in show" and "most obedient" at dog shows.

National Canine Research Council Action Fund, Manager of Public Policy, Nicole Juchem: states that breed is not a reliable predictor of aggressive behavior in dogs and that the only reliable predictor of a dog's disposition is its history. It is further stated that under current statute people are forced to choose between protecting their assets or their pet and that this legislation would change that.

CT Votes for Animals, Advisory Board Member, Karen Laski: states that this bill would allow people who adopt dogs to have affordable homeowner's insurance.

CT Votes for Animals, Board Chair, Susan B. Linker: states that housing issues are a leading cause of people needing to relinquish their pets and that a common reason for this is the inability to purchase home or renter's insurance for those who have dog breeds that are often restricted.

Best Friends Animal Society, Keeley Mangeno: states that people are often put in a position where they need to pay large insurance premiums or give up their pets because of their pet's breed. It is further stated that there is limited evidence to show the correlation between a dog's breed and its behavior.

CT Valley Vizsla Club, President, Kimberly Markey: states that this bill would prevent homeowners' insurance and renters' insurance policies from discriminating based on harboring or owning any dog of a specific breed or mixture of breeds.

Stratford Animal Rescue, Brenda Melendez: states that the current statute puts dog owners in a tough position and that owners are forced to give up “harmless” animals. It is further stated that the testifier volunteers in an animal shelter and that they see first hand how this policy impacts communities.

American Kennel Club, Government Relations Regional Manager in New England, Stacey Ober, J.D.: states that insurance companies should not base coverage on a dog’s breed but rather its individual history and behavior. It is further stated that dogs are often discriminated against based on “vague” physical characteristics regardless of its housing situation.

CT Votes for Animals, Peggy Turner and Marsha Rabe: states that there is no reliable data to support the efficacy of policies that single out specific breeds. It is further stated that the state passed a law that prevented municipalities from enacting ordinances that discriminate based on dog breed and that this bill would be in line with that.

Humane Society of the U.S., Senior Public Policy Specialist, Jessica Simpson: states that this bill would affirm Connecticut’s “breed neutral values” while ensuring that insurance companies could evaluate and include appropriate risks in their policies through underwriting when applied to all breeds of dogs. It is further stated that cost and availability of property insurance stands as an unnecessary barrier to keeping families whole.

Best Friends Animal Society, Senior Legislative Attorney, Ledy VanKavage, Esq.: states that an individual should not need to decide what breed of dog to get based on an insurance company’s policy and that data did not show a correlation between the danger a dog poses and its breed. It is further stated that breed discrimination is related to racial discrimination since it is often the case that the breeds that are restricted are commonly associated as being owned by people of color.

HARP Inc., Dr. Nan Zyla-Wisensale: states that there is no reliable data to show the correlation between dog breed and increased risk of violent behavior and that these policies should not result in a pet being separated from their owner.

CT Federation of Dog Clubs and Responsible Dog Owners, President, Laurie Maulucci: states that insurance companies should not base coverage on a dog’s breed but rather its individual history and behavior. It is further stated that dogs are often discriminated against based on “vague” physical characteristics regardless of its housing situation.

The following members of the public and two anonymous testifiers expressed support for this bill and state similar reasons for support, often citing limited evidence that led to increased rates or denial:

Steve Basson, South Windsor CT, Resident

Lisa Bonaldi, CT Resident

Jeanne Bradbury, CT Resident

Daina Bray, Oxford CT, Resident

Joy Brewster, CT Resident

Sharon Callahan, CT Resident

Jeanne Cambouris, CT Resident

Su-Lin Carbonelli, CT Resident
Virginia Cuneo, CT Resident
Marley Dixon, Newtown CT, Local Animal Sanctuary Youth Board Member
Cynthia Edgar, CT Resident
Cornelia Fortier, CT Resident
Heather Frost, CT Resident
Carrie Gonzalez, Bristol CT, Resident
Nancy Grandelski, CT Resident
Carolyn Graziano, CT Resident
Courtney H., CT Resident
Lauren Johnson, CT Resident
Amanda Juchem, CT Resident
Jeffrey Jump, CT Resident
Susan King, CT Resident
Holly Kocet, Newtown CT, Resident
Joseph Kocet, CT Resident
Noreen Lotko, CT Resident
Heather Lubin, CT Resident
Laura Lynch, CT Resident
Diane Manganello, CT Resident
Michael Marucci, Sandy Hook CT, Resident
Hope Maruzo, CT Resident
Samuel Matos, CT Resident
Andra Mazur, CT Resident
Mary Elisabeth McCarthy, CT Resident
Melinda Miller, CT Resident
Dorrie Nang, Woodstock CT, Resident
Christine O'Neill, CT Resident
Geraldine Nuzzo, CT Resident
Carol Phelps, CT Resident
Linda Pleva, CT Resident
Sarah Qualman, CT Resident
Heather Rouilla, CT Resident
John Ryan, CT Resident
Judith Smith, CT Resident
Jamila Viandier, Stafford Springs CT, Resident
Laura Wells, Owner, Pawz for Wellness
Mandy Wieting, CT Resident
Alexander Petals, Hartford CT, Resident

NATURE AND SOURCES OF OPPOSITION:

Big I Connecticut, Assistant Vice President of Government Relations, Scott Hobson, MPA: states that certain breeds are more likely to be involved in bites and that if this bill were enacted and if insurance companies could not underwrite based on breed then premiums would go up across the board. The statistics cited are from 2019 and state that in the 48 dog bite related deaths that year, 69% of them were from pit bulls.

National Association of Mutual Insurance Companies, Regional Vice President, Rory Whelan: requests that the bill be amended to add “solely” to section one and states that insurers consider many factors when analyzing risk and that the breed of a dog is a relevant factor.

GENERAL COMMENTS:

American Property Casualty Insurance Association, Vice President, Kristina Baldwin: recommends a revision to this bill to bring it in line with model legislation, specifically the addition of “solely” after the word “policy” and before “on” in section one. Additionally, it’s recommended that language be added to apply only to admitted insurers and not apply to surplus lines policies.

Insurance Association of Connecticut, President, Eric George: recommends a revision to this bill to bring it in line with model legislation, specifically the addition of “solely” after the word “policy” and before “on” in section one.

Reported by: Justin Kaiser

Date: 3/20/2023