

SENATE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

April 23, 2007  
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB07-256 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 9, after "SUSTAINED," insert "EXCLUDING  
2 EXEMPLARY DAMAGES,";

3 line 15, strike "THE COVERAGE PROVIDED PURSUANT TO";

4 strike lines 16 through 19.

5 Page 4, after line 6, insert the following:

6 "SECTION 3. **Repeal.** 10-4-418 (2) (c), Colorado Revised  
7 Statutes, is repealed as follows:

8 **10-4-418. Enforcement procedures - penalties.** (2) (c) ~~The~~  
9 ~~commissioner shall not find that a policy form, certificate, or contract of~~  
10 ~~insurance or rider does not comply with the applicable requirements and~~  
11 ~~standards of this title on the ground that it prohibits stacking the limits of~~  
12 ~~more than one uninsured motorist coverage policy as provided in section~~  
13 ~~10-4-609. Such provisions to prevent stacking are in conformity with the~~  
14 ~~public policy of this state, if such provisions are included in a single~~  
15 ~~policy covering multiple vehicles or in multiple policies issued by one~~  
16 ~~insurer or an affiliated insurer, under common ownership or management,~~  
17 ~~to an insured or to a resident relative of such insured. Such provision~~  
18 ~~shall not prohibit stacking of the uninsured or underinsured portions of a~~  
19 ~~policy issued to an insured and a separate policy covering the insured~~

1 ~~which was not issued to the insured or a resident relative. For purposes~~  
2 ~~of this paragraph (c), underinsured motorist coverage is included in the~~  
3 ~~term "uninsured motorist coverage" pursuant to section 10-4-609 (4):".~~

4 Renumber succeeding sections accordingly.

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