

SENATE COMMITTEE OF REFERENCE REPORT

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7 Statutes, is repealed as follows: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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