

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 10, 2010
Date

Committee on Business Affairs and Labor.

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

HB10-1166 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, strike lines 2 through 8.
- 2 Renumber succeeding sections accordingly.
- 3 Page 2, line 13, after "ISSUING" insert "OR RENEWING".
- 4 Page 2, line 14, after "ISSUE" insert "OR RENEW".
- 5 Page 2, line 17, strike "SIXTY" and substitute "FIFTY".
- 6 Page 3, line 4, strike "TWELVE-POINT" and substitute "TEN-POINT".
- 7 Page 3, strike lines 5 through 7 and substitute:
 - 8 "(3) FOR PURPOSES OF SUBSECTION (1) OF THIS SECTION, THE
 - 9 FOLLOWING SHALL APPLY:
 - 10 (a) (I) A CONTRACTION, HYPHENATED WORD, OR NUMBERS AND
 - 11 LETTERS, WHEN SEPARATED BY SPACES, SHALL COUNT AS ONE WORD;
 - 12 (II) A UNIT OF WORDS ENDING WITH A PERIOD, SEMICOLON, OR A
 - 13 COLON, BUT EXCLUDING HEADINGS AND CAPTIONS, SHALL BE COUNTED AS
 - 14 A SENTENCE; AND

1 (III) A SYLLABLE MEANS A UNIT OF SPOKEN LANGUAGE
2 CONSISTING OF ONE OR MORE LETTERS OF A WORD AS DIVIDED BY AN
3 ACCEPTED DICTIONARY. IF THE DICTIONARY SHOWS TWO OR MORE
4 EQUALLY ACCEPTABLE PRONUNCIATIONS OF A WORD, THE
5 PRONUNCIATIONS CONTAINING FEWER SYLLABLES MAY BE USED.

6 (b) "TEXT" INCLUDES ALL PRINTED MATTER EXCEPT THE
7 FOLLOWING:

8 (I) THE NAME AND ADDRESS OF THE INSURER; THE NAME, NUMBER,
9 OR TITLE OF THE POLICY; THE TABLE OF CONTENTS OR INDEX; CAPTIONS
10 AND SUBCAPTIONS; AND SPECIFICATION PAGES, SCHEDULES, OR TABLES;
11 AND

12 (II) ANY POLICY LANGUAGE THAT IS DRAFTED TO CONFORM TO THE
13 REQUIREMENTS OF ANY FEDERAL LAW OR REGULATION; ANY POLICY
14 LANGUAGE REQUIRED BY ANY COLLECTIVELY BARGAINED AGREEMENT;
15 ANY MEDICAL TERMINOLOGY; ANY WORDS THAT ARE DEFINED IN THE
16 POLICY; AND ANY POLICY LANGUAGE REQUIRED BY LAW OR REGULATION
17 IF THE INSURER IDENTIFIES THE LANGUAGE OR TERMINOLOGY EXCEPTED
18 AND CERTIFIES IN WRITING THAT THE LANGUAGE OR TERMINOLOGY IS
19 ENTITLED TO BE EXCEPTED.

20 (4) THE COMMISSIONER SHALL PROMULGATE RULES REGARDING
21 THE ELECTRONIC DISSEMINATION OF NEWLY ISSUED OR RENEWED POLICY
22 FORMS OR ENDORSEMENTS.

23 (5) (a) THE REQUIREMENTS OF THIS SECTION SHALL NOT APPLY TO
24 COMMERCIAL AUTOMOBILE INSURANCE COVERAGE.

25 (b) FOR THE PURPOSE OF THIS SUBSECTION (5), "COMMERCIAL
26 AUTOMOBILE INSURANCE COVERAGE" MEANS ANY INSURANCE COVERAGE
27 PROVIDED TO AN INSURED, REGARDLESS OF THE NUMBER OF VEHICLES OR
28 ENTITIES COVERED, UNDER A COMMERCIAL AUTOMOBILE, GARAGE, MOTOR
29 CARRIER, OR TRUCKERS COVERAGE POLICY FORM AND RATED USING
30 EITHER A COMMERCIAL MANUAL OR RATING RULE."

31 Page 3, line 12, after "ISSUING" insert "OR RENEWING".

32 Page 3, line 14, after "ISSUE" insert "OR RENEW".

1 Page 3, line 17, strike "SIXTY" and substitute "FIFTY".

2 Page 3, line 27, strike "TWELVE-POINT" and substitute "TEN-POINT".

3 Page 4, strike lines 1 through 3 and substitute:

4 "(3) FOR PURPOSES OF SUBSECTION (1) OF THIS SECTION, THE
5 FOLLOWING SHALL APPLY:

6 (a) (I) A CONTRACTION, HYPHENATED WORD, OR NUMBERS AND
7 LETTERS, WHEN SEPARATED BY SPACES, SHALL COUNT AS ONE WORD;

8 (II) A UNIT OF WORDS ENDING WITH A PERIOD, SEMICOLON, OR A
9 COLON, BUT EXCLUDING HEADINGS AND CAPTIONS, SHALL BE COUNTED AS
10 A SENTENCE; AND

11 (III) A SYLLABLE MEANS A UNIT OF SPOKEN LANGUAGE
12 CONSISTING OF ONE OR MORE LETTERS OF A WORD AS DIVIDED BY AN
13 ACCEPTED DICTIONARY. IF THE DICTIONARY SHOWS TWO OR MORE
14 EQUALLY ACCEPTABLE PRONUNCIATIONS OF A WORD, THE
15 PRONUNCIATIONS CONTAINING FEWER SYLLABLES MAY BE USED.

16 (b) "TEXT" INCLUDES ALL PRINTED MATTER EXCEPT THE
17 FOLLOWING:

18 (I) THE NAME AND ADDRESS OF THE CARRIER; THE NAME, NUMBER,
19 OR TITLE OF THE POLICY; THE TABLE OF CONTENTS OR INDEX; CAPTIONS
20 AND SUBCAPTIONS; AND SPECIFICATION PAGES, SCHEDULES, OR TABLES;
21 AND

22 (II) ANY POLICY LANGUAGE THAT IS DRAFTED TO CONFORM TO THE
23 REQUIREMENTS OF ANY FEDERAL LAW OR REGULATION; ANY POLICY
24 LANGUAGE REQUIRED BY ANY COLLECTIVELY BARGAINED AGREEMENT;
25 ANY MEDICAL TERMINOLOGY; ANY WORDS THAT ARE DEFINED IN THE
26 POLICY; AND ANY POLICY LANGUAGE REQUIRED BY LAW OR REGULATION
27 IF THE CARRIER IDENTIFIES THE LANGUAGE OR TERMINOLOGY EXCEPTED
28 AND CERTIFIES IN WRITING THAT THE LANGUAGE OR TERMINOLOGY IS
29 ENTITLED TO BE EXCEPTED.

30 (4) THE COMMISSIONER SHALL PROMULGATE RULES REGARDING
31 THE ELECTRONIC DISSEMINATION OF NEWLY ISSUED OR RENEWED POLICY

1 FORMS OR ENDORSEMENTS.

2 (5) FOR THE PURPOSES OF SUBSECTION (1) OF THIS SECTION, FOR
3 GROUP HEALTH BENEFIT PLANS, THE EVIDENCE OF COVERAGE SHALL BE
4 THE ONLY TEXT FOR THE PURPOSES OF THE FLESCH-KINCAID GRADE LEVEL
5 FORMULA AND THE FLESCH READING EASE FORMULA."

6 Page 4, line 5, strike "July 1, 2011;" and substitute "January 1, 2012;".

7 Page 4, line 11, strike "July 1, 2011," and substitute "January 1, 2012,".

8 Page 4, line 15, after "renewed" insert "and being marketed".

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