

Colorado Legislative Council Staff Fiscal Note
NO FISCAL IMPACT

Drafting Number: LLS 12-0031**Date:** January 23, 2012**Prime Sponsor(s):** Rep. Soper**Bill Status:** House Economic & Business Development**Fiscal Analyst:** Alex Schatz (303-866-4375)

TITLE: CONCERNING THE RIGHT OF AN INSURED HOMEOWNER TO HAVE A DEFECTIVE APPLIANCE REPLACED AS PART OF AN INSURANCE SUBROGATION ACTION TO RECOVER DAMAGES TO A DWELLING UNIT CAUSED BY A DEFECTIVE APPLIANCE.

Summary of Legislation

The bill requires the judgment or settlement in a homeowner's insurance subrogation claim to provide for the replacement of a defective appliance. The bill affects only those claims where the insured loss was caused by the defective appliance and damages exceed \$5,000.

The bill is effective August 7, 2012, if the General Assembly adjourns on May 9, 2012, as scheduled, and no referendum petition is filed.

Assessment

Homeowner's insurance subrogation claims concern private parties. The disposition of a claim in either a judgment or a settlement is likely to include a determination concerning a defective appliance at fault. The bill will not increase filings, the frequency or duration of hearings and trials, or any other workload of the courts. The bill is, therefore, assessed as having no fiscal impact.

Departments Contacted

Judicial

Regulatory Agencies

Property Taxation

Governor's Energy Office