
**Financial Institutions &
Insurance Committee**

HB 1895

Brief Description: Limiting when the presence of a dog may affect the availability of homeowner's insurance.

Sponsors: Representatives Campbell and Kirby.

Brief Summary of Bill

- Prohibits an insurer from discriminating against a homeowner based upon a homeowner's possession of a specific breed of dog, unless the dog meets the statutory definition of "dangerous dog."

Hearing Date: 1/21/04

Staff: Carrie Tellefson (786-7127).

Background:

Authority of the Insurance Commissioner. The Insurance Commissioner (Commissioner) is responsible for the licensing and regulation of insurance companies doing business in this state. The authority of the Commissioner includes the oversight of homeowner's insurance policies. Current law prohibits "unfair discrimination" between insureds that have substantially similar risk factors, exposure factors, and expense elements.

Dangerous dogs. A "dangerous dog" is defined to include the following:

- a dog that inflicts severe injury on a human being without provocation on public or private property; or
- a dog that kills a domestic animal without provocation while the dog is off the owner's property; or
- a dog that has been previously found to be potentially dangerous because it injured a person and the dog again aggressively bites, attacks, or endangers the safety of a person.

Summary of Bill:

In making underwriting decisions, property and casualty insurers offering homeowner's policies are prohibited from discriminating against an applicant or insured because he or she owns or harbors a "specific breed" of dog. Insurers are specifically prohibited from denying an application as well as canceling, modifying, or refusing to renew a policy based upon the type of dog an

insured or applicant possesses. This prohibition does not apply if the applicant or insured owns or harbors a "dangerous dog" as defined by statute.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.