

1128-S

Sponsor(s): House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Schual-Berke, Benson, Simpson, Ruderman, Wallace, Hunt, McDermott, Pflug, Campbell and Upthegrove; by request of Insurance Commissioner)

Brief Description: Prohibiting insurers from canceling, denying, or refusing to renew property insurance policies due to claims made for malicious harassment. Revised for 1st Substitute: Prohibiting insurers from taking certain underwriting actions regarding property insurance policies due to claims made for malicious harassment.

**HB 1128-S - DIGEST**

(DIGEST AS ENACTED)

Declares that an insurer may not take an underwriting action on a policy described in this act because an insured has made one or more insurance claims during the preceding sixty months for a loss that is the result of malicious harassment. An insurer may take an underwriting action due to other factors that are not prohibited by this act.

Provides that, if an insured sustains a loss that is the result of malicious harassment, the insured must file a report with the police or other law enforcement authority within thirty days of discovery of the incident, and a law enforcement authority must determine that a crime has occurred. The report must contain sufficient information to provide an insurer with reasonable notice that the loss was the result of malicious harassment. The insured has a duty to cooperate with any law enforcement official or insurer investigation. For incidents of malicious harassment occurring prior to the effective date of this act, the insured must file the report within six months of the discovery of the incident.

Requires each insurer to annually report underwriting actions to the commissioner if the insurer has taken an underwriting action against any insured who has filed a claim during the preceding sixty months that was the result of malicious harassment.