

SENATE BILL No. 239

DIGEST OF INTRODUCED BILL

Citations Affected: IC 27-4-1.6.

Synopsis: Property and casualty insurance claim payment. Prohibits an insurer from denying coverage for damage to an insured under a property and casualty insurance policy caused by the intentional acts of another insured if the original insured was unaware of the intentional acts.

Effective: July 1, 2012.

Randolph

January 4, 2012, read first time and referred to Committee on Insurance and Financial Institutions.

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PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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SENATE BILL No. 239



A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 27-4-1.6 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2012]:
4 **Chapter 1.6. Property and Casualty Insurance Claim Payment**
5 **Sec. 1. As used in this chapter, "property and casualty**
6 **insurance" means one (1) or more of the kinds of insurance**
7 **described in Class 2 or Class 3 of IC 27-1-5-1.**
8 **Sec. 2. An insurer that issues a property and casualty insurance**
9 **policy shall not deny coverage under the policy for damage:**
10 **(1) to an individual who is insured under the policy; and**
11 **(2) intentionally caused by another individual who is insured**
12 **under the policy;**
13 **if the individual described in subdivision (1) is determined by the**
14 **insurer to have been unaware of the actions of the individual**
15 **described in subdivision (2) in causing the damage.**
16 **Sec. 3. A violation of this chapter is an unfair claim settlement**
17 **practice under IC 27-4-1-4.5.**

