



General Assembly

Substitute Bill No. 894

January Session, 2009

* SB00894INS 022009 *

**AN ACT REQUIRING DISCLOSURE OF AUTOMOBILE LIABILITY
INSURANCE POLICY LIMITS PRIOR TO THE FILING OF A CLAIM.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) Not later than
2 fourteen days after an insurer receives a written request by, or on
3 behalf of, an individual that alleges the individual has suffered bodily
4 injury or death caused in a motor vehicle collision by an insured under
5 an automobile liability insurance policy issued by the insurer, the
6 insurer shall provide written disclosure of such insured's insurance
7 policy limits to the individual making the request. The disclosure shall
8 be provided in accordance with subsection (c) of this section.

9 (b) Each written request for disclosure shall be accompanied by a
10 letter from an attorney-at-law admitted to practice in this state, with or
11 without an affidavit, that sets forth: (1) The type of claim alleged
12 against the insured; (2) the date and approximate time of the alleged
13 incident that gave rise to the request for disclosure; and (3) a general
14 description of the injuries alleged to have been caused by the insured.
15 An attorney-at-law who submits a letter requesting disclosure
16 pursuant to this section shall include the attorney's juris number in the
17 letter. The contents of any letter or affidavit requesting disclosure of
18 insurance policy limits pursuant to this section shall not be admissible
19 in evidence in any civil action involving the injury or death that gave

20 rise to the request for disclosure.

21 (c) The disclosure provided by the insurer shall (1) indicate all
22 coverage provided by the insurer to the insured, including, but not
23 limited to, any applicable umbrella or excess liability insurance issued
24 by the insurer, and (2) include copies of applicable declaration pages
25 or similar materials that reflect the insurance coverage provided by the
26 insurer to the insured.

27 (d) (1) The disclosure required under subsections (a) to (c),
28 inclusive, of this section shall be applicable to requests for disclosure
29 made on any claim filed on or after October 1, 2009.

30 (2) The requirements of this section shall only apply to an insurer
31 with respect to a policy that insures against loss or damage on account
32 of the bodily injury or death of any person.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2009	New section
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Statement of Legislative Commissioners:

Subsections (a) and (e) were merged as new subsection (d) for consistency with the drafting conventions of the general statutes and the subsections were relettered accordingly with conforming changes.

INS *Joint Favorable Subst.*