

The House Committee on Insurance offers the following substitute to HB 1263:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 33-24-46 of the Official Code of Georgia Annotated, relating to  
2 cancellation or nonrenewal of certain property insurance policies, so as to define the term  
3 "claim against a policy"; to provide for related matters; to provide an effective date; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 33-24-46 of the Official Code of Georgia Annotated, relating to cancellation  
8 or nonrenewal of certain property insurance policies, is amended by striking subsection (b)  
9 and inserting in lieu thereof a new subsection (b) to read as follows:

10 "(b) As used in this Code section, the term:

11 (1) 'Claim against a policy' means a contact with an insurer by the insured under the  
12 policy or an affected third party for the express purpose of seeking payment of proceeds  
13 under the terms of the policy in question. A report of loss or a question relating to  
14 coverage shall not independently establish a claim against a policy nor be considered as  
15 a claim under Article 2 of Chapter 6 of this title.

16 (2) 'Nonrenewal' or 'nonrenewed' means a refusal by an insurer or an affiliate of an  
17 insurer to renew. Failure of an insured to pay the premium as required of the insured for  
18 renewal after the insurer has manifested a willingness to renew by delivering a renewal  
19 policy, renewal certificate, or other evidence of renewal to the named insured or his or  
20 her representative or has offered to issue a renewal policy, certificate, or other evidence  
21 of renewal or has manifested such intention by any other means shall not be construed  
22 to be a nonrenewal.

23 ~~(2)~~ (3) 'Policies' means a policy insuring a natural person as named insured against direct  
24 loss to residential real property and the contents thereof, as defined and limited in  
25 standard fire policies as approved by the Commissioner.

