

House Bill 418 (AS PASSED HOUSE AND SENATE)

By: Representatives Maxwell of the 17th, Knox of the 24th, Meadows of the 5th, Murphy of the 120th, Dodson of the 75th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 33-24-44 of the Official Code of Georgia Annotated, relating to
2 cancellation of policies generally, so as to provide for electronic notice of cancellation of
3 policies to lienholders; to provide for related matters; to repeal conflicting laws; and for other
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 33-24-44 of the Official Code of Georgia Annotated, relating to cancellation
8 of policies generally, is amended by striking paragraphs (b) and (d) and inserting in lieu
9 thereof new paragraphs (b) and (d) to read as follows:

10 "(b) Written notice stating the time when the cancellation will be effective, which shall not
11 be less than 30 days from the date of mailing or delivery in person of such notice of
12 cancellation or such other specific longer period as may be provided in the contract or by
13 statute, shall be delivered in person or by depositing the notice in the United States mails
14 to be dispatched by at least first-class mail to the last address of record of the insured and
15 of any lienholder, where applicable, and receiving the receipt provided by the United States
16 Postal Service or such other evidence of mailing as prescribed or accepted by the United
17 States Postal Service. For the purposes of this subsection, notice to the lienholder shall be
18 considered delivered or mailed if, with the lienholder's consent, it is delivered by electronic
19 transmittal or facsimile. Any irregularity in the notice to the lienholder shall not invalidate
20 an otherwise valid cancellation as to the insured."

21 "(d) When a policy is canceled for failure of the named insured to discharge when due any
22 of his obligations in connection with the payment of premiums for a policy or any
23 installment of premiums due, whether payable directly to the insurer or indirectly to the
24 agent, or when a policy that has been in effect for less than 60 days is canceled for any
25 reason, the notice requirements of this Code section may be satisfied by delivering or
26 mailing written notice to the named insured and any lienholder, where applicable, at least

1 ten days prior to the effective date of cancellation in lieu of the number of days' notice
2 otherwise required by this Code section. For the purposes of this subsection, notice to the
3 lienholder shall be considered delivered or mailed if, with the lienholder's consent, it is
4 delivered by electronic transmittal or facsimile. Any irregularity in the notice to the
5 lienholder shall not invalidate an otherwise valid cancellation as to the insured."

6 **SECTION 2.**

7 All laws and parts of laws in conflict with this Act are repealed.