

House Bill 84

By: Representatives Cheokas of the 138th, Meadows of the 5th, Duncan of the 26th, and Smith of the 134th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to
2 insurance generally, so as to prohibit denial of an aircraft claim unless the insured's action
3 or failure to act had a direct causal connection to the loss upon which the claim is based; to
4 provide for applicability; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance
8 generally, is amended by revising Code Section 33-24-30, relating to excluding or denying
9 coverage on basis of violation of civil air regulations, as follows:

10 "33-24-30.

11 (a) No policy of insurance issued or delivered in this state covering any loss, expense, or
12 liability arising out of the ownership, maintenance, or use of an aircraft shall exclude or
13 deny coverage because the aircraft is operated in violation of civil air regulations pursuant
14 to federal, state, or local laws or ordinances.

15 (b) This Code section does not prohibit the use of specific exclusions or conditions in any
16 such policy which relates to any of the following:

- 17 (1) Certification of an aircraft in a stated category by the Federal Aviation
18 Administration;
- 19 (2) Certification of a pilot in a stated category by the Federal Aviation Administration;
- 20 (3) Establishing requirements for pilot experience; or
- 21 (4) Establishing limitations on the use of the aircraft.

22 (c) An insured's action or failure to act is not a basis for denial of a claim, unless the
23 insured's action or failure to act had a direct causal connection to the loss upon which the
24 claim is based. For purposes of this subsection, 'denial of a claim' includes refusal to pay
25 a claim due to a retroactive termination of the policy on the basis of the insured's action or
26 failure to act."

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SECTION 2.

28 This Act shall be applicable to policies issued on or renewed after July 1, 2015.

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SECTION 3.

30 All laws and parts of laws in conflict with this Act are repealed.