

House Bill 61

By: Representatives Glanton of the 75th, Smith of the 134th, Gilliard of the 162nd, Stephens of the 164th, Smyre of the 135th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to
2 require motor vehicle insurance companies to offer qualified active duty military service
3 members between the ages of 18 and 24 motor vehicle insurance policies underwritten at
4 rates for such service members 25 years of age or older; to provide for related matters; to
5 provide for a short title; to provide for an effective date; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Jaida Act."

10 **SECTION 2.**

11 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended in
12 Chapter 9, relating to regulation of rates, underwriting rules, and related organizations, by
13 adding a new Code section to read as follows:

14 "33-9-43.1.

15 (a) As used in this Code section, the term:

16 (1) 'Active duty military service member' means full-time duty status in the military of
17 the United States, including members of the National Guard or reserve components of the
18 armed forces on active duty orders.

19 (2) 'Proof of financial responsibility' means proof of ability to respond in damages for
20 liability on account of accidents occurring subsequent to the effective date of said proof
21 in the amounts specified in subparagraph (a)(1)(A) of Code Section 33-7-11.

22 (3) 'Resident' means any service member of the United States military stationed in
23 Georgia or who lists Georgia as his or her home of record.

24 (b) For each personal or family-type policy of private passenger motor vehicle insurance
25 issued, delivered, issued for delivery, or renewed on or after January 1, 2020, there shall

26 be offered by the insurer a reduction in the premium for motor vehicle liability, first-party
 27 medical, and collision coverage for each named driver under 25 years of age, as listed on
 28 the policy application or provided in information subsequent to such application, of each
 29 motor vehicle covered by such policy, if that driver:

30 (1) Is an active duty military service member; and

31 (2) Is a driver whose use of the automobile is considered by the insurer in determining
 32 the applicable classification.

33 (c) Proof of meeting the requirements for the discount provided by this Code section shall
 34 be provided annually to the insurer by the insured policyholder upon such forms as the
 35 Commissioner shall prescribe. The premium reduction required by this Code section shall
 36 be approved by the Commissioner and reflected in the insurer's automobile rating plan.

37 (d) An insurer shall not be required to offer the premium reduction provided in
 38 subsection (b) of this Code section to a driver who, at any time within a period of two years
 39 prior to the beginning of the policy year during which that reduction is otherwise required,
 40 has:

41 (1) Been involved in any motor vehicle accident in which that person has been
 42 determined to have been at fault; or

43 (2) Failed to maintain proof of financial responsibility.

44 (e) An insurer shall not be required to offer the premium reduction provided in
 45 subsection (b) of this Code section to a driver who, at any time within a period of three
 46 years prior to the beginning of the policy year during which that reduction is otherwise
 47 required, has:

48 (1) Been finally convicted of, pleaded nolo contendere to, or been found to have
 49 committed a delinquent act constituting:

50 (A) Any serious traffic offense described in Article 15 of Chapter 6 of Title 40; or

51 (B) Any traffic offense for which three or more points may be assessed pursuant to
 52 Code Section 40-5-57; or

53 (2) Had that person's driver's license suspended for refusal to submit to chemical tests
 54 pursuant to Code Section 40-5-67.1 and that suspension has not been reversed, if
 55 appealed from.

56 (f) An insurer shall not be required to offer the premium reduction provided in
 57 subsection (b) of this Code section to a driver who, at any time within a period of five years
 58 prior to the beginning of the policy year during which that reduction is otherwise required,
 59 has been finally convicted of, pleaded nolo contendere to, or been found to have committed
 60 a delinquent act constituting any felony or any offense prohibited pursuant to Chapter 13
 61 of Title 16, relating to dangerous drugs, marijuana, and controlled substances."

62 **SECTION 3.**

63 This Act shall become effective upon its approval by the Governor or upon its becoming law
64 without such approval.

65 **SECTION 4.**

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