

House Bill 1070

By: Representatives Gaines of the 117th, Dollar of the 45th, Hugley of the 136th, and Wiedower of the 119th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated,
2 relating to condominiums, so as to provide new insurance policy disclosure requirements for
3 condominium associations and unit owners in the event of potential or actual claims filed
4 against such policies; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to
9 condominiums, is amended in Code Section 44-3-107, relating to insurance coverage, by
10 adding a new subsection to read as follows:

11 "(c) In the event of a potential claim or submitted claim on any insurance policy obtained
12 by:

13 (1) An association, and upon written request by a unit owner to the association, the
14 association or its designated agent shall, within five business days from the receipt of
15 such request, provide to such owner a copy of the association's certificate of insurance
16 for all such insurance obtained by the association that may apply to such potential claim
17 or submitted claim. Such request shall state an address to which such information shall
18 be directed and shall specify whether such information shall be available for pickup,
19 mailed, or sent by electronic communication along with the specific address for mailing
20 or electronic communication. Once a claim has been submitted, and upon written request
21 by a unit owner to the association, the association or its designated agent shall provide
22 the name, address, and telephone number of the insurance adjuster, if one has been
23 identified to the association; or

24 (2) A unit owner, and upon written request by an association or its designated agent to
25 a unit owner, the unit owner shall, within five business days from the receipt of such
26 request, provide to the association or its designated agent a copy of the unit owner's

27 certificate of insurance for all such insurance obtained by the unit owner that may apply
28 to the potential claim or actual claim. Such request shall state an address to which such
29 information is to be directed and shall specify whether such information shall be available
30 for pickup, mailed, or sent by electronic communication along with the specific address
31 for mailing or electronic communication. Once a claim has been submitted, and upon
32 written request by the association to a unit owner, the unit owner or its designated agent
33 shall, within five business days, provide the name, address, and telephone number of the
34 insurance adjuster, if one has been identified to the unit owner."

35 **SECTION 2.**

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