

February 8, 2005

PROPOSED AMENDMENTS TO SENATE BILL NO. 2186

Page 1, after line 12, insert:

- "2. "Deceptive practices" means any misstatement or omission of any material fact, or submission of a false statement, in light of the circumstances under which it was made, by a person acting with the intent to defraud in filing an insurance claim."

Page 1, line 13, replace "2." with "3."

Page 2, remove lines 9 through 11

Page 2, line 13, replace "noncommercial" with "owner-occupied"

Page 2, line 14, replace "A personal insurance policy must be individually underwritten for" with:

- "5. "Weather-related event" means wind or hail."

Page 2, remove line 15

Page 2, line 18, remove "The insurer or its agent may"

Page 2, line 19, remove "not report these events to a consumer reporting agency or insurance support organization."

Page 2, line 25, after "activity" insert "and the claim does not involve deceptive practices on the part of the insured"

Page 2, line 26, after "insured" insert "and the claim does not involve deceptive practices on the part of the insured"

Page 2, remove lines 27 through 29

Page 2, line 30, replace "7." with "5.", after "A" insert "first-party property", and replace "natural" with "weather-related"

Page 2, line 31, remove "phenomena-related"

Page 3, line 3, replace "8." with "6." and replace "five" with "ten"

Page 3, line 8, after "property" insert ", unless the insurer can provide evidence that the previous owner did not mitigate the damage"

Page 3, remove lines 9 through 13

Page 3, line 14, replace "**26.1-25.2-06**" with "**26.1-25.2-05**"

Renumber accordingly