

HOUSE BILL 641

C4

1lr1137
CF SB 580

By: **Delegate Palakovich Carr**

Introduced and read first time: January 22, 2021

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 25, 2021

CHAPTER _____

1 AN ACT concerning

2 **Homeowner's Insurance – Weather-Related Claims**

3 FOR the purpose of prohibiting an insurer, under certain circumstances, from considering
4 a claim for a weather-related event for the purpose of canceling or refusing to renew
5 coverage for homeowner's insurance; and generally relating to homeowner's
6 insurance.

7 BY repealing and reenacting, with amendments,
8 Article – Insurance
9 Section 27–501(i)
10 Annotated Code of Maryland
11 (2017 Replacement Volume and 2020 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – Insurance
14 Section 27–501(j)(2)
15 Annotated Code of Maryland
16 (2017 Replacement Volume and 2020 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Insurance**

20 27–501.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(i) (1) **(I) [Except] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH AND EXCEPT** as provided in paragraph (2) of this subsection, with respect to homeowner's insurance, an insurer may not cancel or refuse to renew coverage for homeowner's insurance based on the claims history of an insured for weather-related claims, unless there were three or more weather-related claims within the preceding 3-year period.

(II) AN INSURER MAY NOT CONSIDER A CLAIM FOR A WEATHER-RELATED EVENT FOR THE PURPOSE OF CANCELING OR REFUSING TO RENEW COVERAGE UNDER THIS PARAGRAPH IF THE CLAIM IS:

1. FOR AN AMOUNT OF LOSS THAT IS LESS THAN THE INSURED'S DEDUCTIBLE UNDER THE POLICY; OR

2. RESOLVED WITH NO PAYOUT TO OR ON BEHALF OF THE HOMEOWNER BY THE INSURER.

(2) An insurer may consider claims for weather-related events for the purpose of canceling or refusing to renew coverage if the insurer provided written notice to the insured for reasonable or customary repairs or replacement specific to the insured's premises or dwelling which the insured failed to make and which, if made, would have prevented the loss for which a claim was made.

(j) (2) An insurer is not required to produce statistical validation that excludes weather-related claims or that makes any distinction between weather-related claims and nonweather-related claims in order to sustain the insurer's burden of persuasion under subsection (g) of this section with respect to a cancellation or refusal to renew for a reason that is not listed in this subsection.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.