

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 1045**

FINAL READING

Introduced by Pankonin, 2.

Read first time January 18, 2008

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to insurance; to change provisions relating to  
2 coverage changes in property and casualty and automobile  
3 liability policies; and to provide a duty for the Revisor  
4 of Statutes.

5 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) If an insurer reduces or eliminates any  
2 coverage in or introduces a more restrictive condition as part of a  
3 policy in force delivered or issued for delivery in this state and  
4 subject to sections 44-514 to 44-521 or section 44-522 or 44-523  
5 prior to renewal of the policy and other than at the request of  
6 the named insured or as required by law, the insurer shall send  
7 to the named insured a notice explaining clearly what coverage has  
8 been reduced or eliminated or what condition has been restricted.  
9 The notice may be in a printed or electronic form if the named  
10 insured requested the electronic form and there was an agreement to  
11 that effect with the insurer prior to such request. If the named  
12 insured does not receive the notice, the reduction or elimination  
13 of coverage or restrictive condition shall not become part of the  
14 policy. It shall be a rebuttable presumption that all insureds  
15 received the notice if it was sent by email or first-class mail  
16 to the named insured's last-known email address or mailing address  
17 contained in the policy.

18           (2) Notice of any reduction or elimination of coverage  
19 or restrictive condition as part of a policy in force delivered or  
20 issued for delivery in this state and subject to sections 44-514 to  
21 44-521 or section 44-522 or 44-523 and other than at the request  
22 of the named insured or as required by law shall be sent to each  
23 agency that holds an agency contract with the insurer prior to  
24 the introduction into the marketplace of a policy containing the  
25 reduction or elimination of coverage or restrictive condition.

1           (3) Nothing in this section shall restrict the right of  
2 the parties to an insurance contract to amend the contract, during  
3 the policy term but not during the renewal process, pursuant to an  
4 endorsement attached to the policy if requested by a named insured  
5 under the policy. An endorsement attached to a policy pursuant to  
6 this subsection requires no further notice beyond such endorsement.

7           Sec. 2. The Revisor of Statutes shall assign section 1 of  
8 this act to Chapter 44, article 5.