SENATE FILE NO. SF0113

Insurance Guaranty Association Act-amendments.

Sponsored by: Senator(s) Johnson

A BILL

for

AN ACT relating to insurance; expanding coverage under the Insurance Guaranty Association Act; amending time limits for filing claims under the Insurance Guaranty Association Act; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 26-31-103(a)(ii)(C), (D) and by creating new subparagraphs (E) and (F), 26-31-106(c)(ii) and (iii) and 26-31-111(c) are amended to read:

26-31-103. Definitions.

(a) As used in this chapter:

(ii) "Covered claim" means an unpaid claim which arises out of and is within the coverage and does not exceed the applicable limits of an insurance policy to which this chapter applies issued by an insurer, if the insurer is an insolvent insurer and the claimant or insured is a resident of this state at the time of the insured event or the property from which the claim arises is permanently located in this state, but "covered claim" does not include:

(C) Any amount exceeding the applicable limits of liability provided by an insurance policy to which this chapter applies; ~~or~~

(D) Supplementary payment ~~obligation~~ obligations, including but not limited to adjustment fees and expenses, attorney fees and expenses, court costs, interest and bond premiums;~~.~~

(E) Any amount awarded as punitive or exemplary damages, unless those damages are specifically named as covered risks in the policy under which coverage is provided; or

(F) Any amount claimed for incurred but not reported damages.

26-31-106. Duties and powers of association.

(c) Notwithstanding subsection (a) of this section, the association:

(ii) Shall pay not more than seven thousand five hundred dollars ($7,500.00) per policy for a covered claim for return of each unearned premium; ~~which exceeds two hundred fifty dollars ($250.00);~~

(iii) Shall pay not more than ~~one hundred fifty thousand dollars ($150,000.00) per claimant~~ three hundred thousand dollars ($300,000.00) for each covered claim, ~~which exceeds two hundred fifty dollars ($250.00)~~ other than worker's compensation and return of unearned premium claims;

26-31-111. Exhaustion of remedies under policy; claims recoverable from more than one association; claim limitation.

(c) Notwithstanding any provision in this chapter, a covered claim shall not include any claim filed with the association after the earlier of:

(i) The final date set by the court for the filing of claims against the liquidator or receiver of an insolvent insurer;~~.~~ or

(ii) Twenty-five (25) months after the date of the order of liquidation.

Section 2. This act is effective July 1, 2013.

(END)