

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1045**

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 the  
6 policyholder or as required by law, the insurer shall send to the  
7 policyholder a printed notice explaining clearly what coverage has  
8 been reduced or eliminated or what condition has been restricted.  
9 If the policyholder does not receive the notice, the reduction or  
10 elimination of coverage or restrictive condition shall not become  
11 part of the policy. It shall be conclusively presumed that a  
12 policyholder received the notice if it was sent by first-class mail  
13 to the policyholder's last-known mailing address contained in the  
14 policy.

15           (2) Notice of the reduction or elimination of coverage or  
16 restrictive condition required by subsection (1) of this section  
17 shall be sent to each agency that holds an agency contract with the  
18 insurer prior to the introduction into the marketplace of a policy  
19 containing the reduction or elimination of coverage or restrictive  
20 condition.

21           (3) Nothing in this section shall restrict the right of  
22 the parties to an insurance contract to amend the contract, during  
23 the policy term but not during the renewal process, pursuant to an  
24 endorsement attached to the policy if requested by a named insured  
25 under the policy. An endorsement attached to a policy pursuant to

1 this subsection requires no further notice beyond such endorsement.

2                   Sec. 2. The Revisor of Statutes shall assign section 1 of

3 this act to Chapter 44, article 5.