

The House Committee on Insurance offers the following substitute to HB 878:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 33-24-44.1 of the Official Code of Georgia Annotated, relating to
2 procedure for cancellation by an insured and notice, so as to change certain provisions
3 regarding cancellation of an insurance policy by an insured; to provide for related matters;
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 33-24-44.1 of the Official Code of Georgia Annotated, relating to procedure
8 for cancellation by an insured and notice, is amended by revising subsection (a) as follows:

9 "(a) An insured may request cancellation of an existing insurance policy by returning the
10 original policy to the insurer or by making a ~~written~~ request for cancellation of an insurance
11 policy to the insurer or its duly authorized agent orally, electronically, or in writing stating
12 a future date on which the policy is to be canceled. The insurer or its duly authorized agent
13 may require that the insured provide written, electronic, or other recorded verification of
14 the request for cancellation prior to such cancellation taking effect. Such cancellation shall
15 be accomplished in the following manner:

16 (1) If only the interest of the insured is affected, the policy shall be canceled on the later
17 of the date the returned policy or ~~written~~ request is received by the insurer or its duly
18 authorized agent or the date specified in the ~~written~~ request; provided, however, that upon
19 receipt of a ~~written~~ request for cancellation from an insured, an insurer may waive the
20 future date requirement by confirming the date and time of cancellation ~~in writing~~ to the
21 insured and the insurer shall document in its policy file the request for cancellation along
22 with the date of the requested cancellation;

23 (2) If by statute, regulation, or contract the insurance policy may not be canceled unless
24 notice is given to a governmental agency, mortgagee, or other third party, the insurer
25 shall mail or deliver such notice stating the date cancellation shall become effective, but

26 such date shall not be less than ten days from the date of mailing or delivery of the
27 notice."

28 **SECTION 2.**

29 All laws and parts of laws in conflict with this Act are repealed.