

# State of South Dakota

NINETY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2016

663X0058

## SENATE BILL NO. 61

Introduced by: Senators Olson, Cammack, Curd, Ewing, Frerichs, Greenfield (Brock), Jensen (Phil), Monroe, Peterson (Jim), Rampelberg, and Shorma and Representatives Brunner, Campbell, Craig, Greenfield (Lana), Marty, May, Schrempp, and Verchio

1 FOR AN ACT ENTITLED, An Act to prohibit the cancellation or nonrenewal of homeowner  
2 insurance policies for certain claims arising from natural causes.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 58-1 be amended by adding a NEW SECTION to read:

5 No homeowner's insurance policy may be denied for renewal as a result of a single claim  
6 within a three-year period arising from natural causes. No homeowner's insurance policy may  
7 be cancelled during its term of any claim arising from natural causes.

8 Any insurer which violates any provision of this section is subject to fines and penalties  
9 applicable to a licensed insurer generally, including suspension or revocation of its license or  
10 the right to do business in this state. The director may order the reinstatement, with no lapse in  
11 coverage, of any policy cancelled or nonrenewed in violation of this section.

12 For the purpose of this section, the term, natural cause, means an act occasioned exclusively  
13 by the violence of nature where all human agency is excluded from creating or contributing to  
14 cause of damage or injury.

