## 1999 DRAFTING REQUEST

### **Senate Amendment (SA-SB63)**

Receive	ed: <b>02/28/2000</b>			Received By: kahlepj									
Wanted: Soon  For: Margaret Farrow (608) 266-9174  This file may be shown to any legislator: NO  May Contact:					Identical to LRB:  By/Representing: Jeff Grothman  Drafter: kahlepj								
									Alt. Drafters:				
									Subject: Insurance - auto				
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-	insured to pay nent part	the difference b	between the	cost of an ori	ginal and a nonorig	inal manufac	turer						
Instruc	etions:												
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May Contact:	Alt. Drafters:			
Subject: Insurance - auto	Extra Copies:			
Pre Topic:				
No specific pre topic given				
Topic:				
Require insured to pay the difference between the cost of an original replacement part	ginal and a nonoriginal manufacturer			
Instructions:	A STATE OF THE STA			
See Attached				
Drafting History:				
Vers. Drafted Reviewed Typed Proofed // kahlepj / 2/9 jcg / m/2/9 Self 2/9	Submitted Jacketed Required			

FE Sent For:

<END>

2-28
Jeg - Farrows Office
simple and to SB63
inmosed pay difference in cost
between organish or worming
Part
and to volvée? yes



#### State of Misconsin 1999 - 2000 LEGISLATURE

LRBa1504/

# RELIMINARY DRANT - NOT READY FOR INTRODUCTION

#### SENATE AMENDMENT,

**TO 1999 SENATE BILL 63** 



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At the locations indicated, amend the bill as follows:

- 1. Page 1, line 5: after "vehicle" insert "and requiring the insured to pay the difference in cost between original manufacturer replacement parts and nonoriginal manufacturer replacement parts".
- 2. Page 3, line 17: after "vehicle" insert ", and that if the insured chooses to have those parts used in the repair the insured may be required to pay any difference in cost between those parts and nonoriginal manufacturer replacement parts".
- 3. Page 3, line 20: after "(c)" insert ", but that the insured may be required to pay any difference in cost between replacement parts made by or for the manufacturer of the insured's motor vehicle and nonoriginal manufacturer replacement parts".
  - 4. Page 4, line 24: after that line insert:

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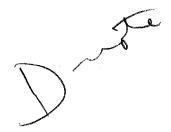
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V	/	X			
"SECTION 13m."	632.38	(5) of the	statutes is	created	to read:

632.38 (5) REQUIRING INSURED TO PAY COST DIFFERENCE. In the repair of an insured's motor vehicle, the insurer or the insurer's representative may require the insured to pay the difference in cost between a replacement part made by or for the manufacturer of the insured's motor vehicle and the same replacement part that is a nonoriginal manufacturer replacement part if all of the following apply:

- (a) The replacement part made by or for the manufacturer of the insured's motor vehicle costs more than the nonoriginal manufacturer replacement part.
- (b) The insurer or insurer's representative provides to the insured the notice and authorization form described in sub. (2) in the manner required under sub. (3).
- (c) The insured chooses to have the replacement part made by or for the manufacturer of the insured's motor vehicle used in the repair.".

(END)



#### DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa1504/kdn PJK....

Jeff:

I drafted this amendment as allowing, rather than requiring, an insurer to require an insured to pay the difference in cost. Some insurer's may choose to charge a higher premium, use original manufacturer replacement parts and not bother with the notice and authorization. (Under the bill, an insurer may not require the use of nonoriginal manufacturer replacement parts unless the notice and authorization form is given to the insured and the insured authorizes the use.) I also provided that the insured may be required to pay the difference only if the original part is actually more expensive, which I assume it probably would always be. I didn't think that you would want the insured to have to pay the difference if the nonoriginal part was actually more expensive. Let me know if you have any questions or want any changes.

Pamela J. Kahler Senior Legislative Attorney Phone: (608) 266–2682

E-mail: Pam.Kahler@legis.state.wi.us

#### DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa1504/1dn PJK;jlg:km

February 29, 2000

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