

1999 DRAFTING REQUEST

Senate Amendment (SA-SB63)

Received: 02/28/2000

Received By: kahlepj

Wanted: Soon

Identical to LRB:

For: Margaret Farrow (608) 266-9174

By/Representing: Jeff Grothman

This file may be shown to any legislator: NO

Drafter: kahlepj

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 and a nonoriginal manufacturer replacement part

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kahlepj 02/28/2000	jgeller 02/29/2000		_____			
/1			martykr 02/29/2000	_____	lrb_docadmin 02/29/2000	lrb_docadmin 02/29/2000	

FE Sent For:

<END>

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1?	kahlepj	1 2/29 jlg	km 2/29	Self 2/29			

FE Sent For:

<END>

2-28

Jeff - Farrow's office

simple audit to SB63

increased pay difference in cost
between original & nonoriginal
part

add to notice? yes



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1504/1
PJK.....

JG

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

SENATE AMENDMENT,

TO 1999 SENATE BILL 63

SOON
(2-28)
D. White

- 1 At the locations indicated, amend the bill[✓] as follows:
- 2 1. Page 1, line 5: after "vehicle" insert "and requiring the insured to pay the
- 3 difference in cost between original manufacturer replacement parts and nonoriginal
- 4 manufacturer replacement parts"[✓].
- 5 2. Page 3, line 17: after "vehicle" insert ", and that if the insured chooses to
- 6 have those parts used in the repair the insured may be required to pay any difference
- 7 in cost between those parts and nonoriginal manufacturer replacement parts"[✓].
- 8 3. Page 3, line 20: after "(c)" insert ", but that the insured may be required to
- 9 pay any difference in cost between replacement parts made by or for the
- 10 manufacturer of the insured's motor vehicle and nonoriginal manufacturer
- 11 replacement parts"[✓].
- 12 4. Page 4, line 24: after that line insert:

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

LRBa1504/dn

PJK.....

JJ

Jeff:

→ I drafted this amendment as allowing, rather than requiring, an insurer to require an insured to pay the difference in cost. Some insurers 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

Jeff:

I drafted this amendment as allowing, rather than requiring, an insurer to require an insured to pay the difference in cost. Some insurers 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.

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