# 2009 DRAFTING REQUEST

### Bill

Received:	11/12/2008				Received By: pk	ahler	
Wanted: A	As time permi	its			Identical to LRB		
For: Mar	lin Schneider	(608) 266-021	5		By/Representing:	his office	
This file r	nay be shown	to any legislato	or: NO		Drafter: pkahler		
May Cont	act:				Addl. Drafters:		
Subject: Submit vi	Insuran a email: YES	ce - other insu	rance		Extra Copies:		
Requester	r's email: opy (CC:) to:	Rep.Schne	ider@legis.	wisconsin.go	<b>v</b>		
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Topic: Requiring Instructi		verage of undar	naged prope	erty to match	repairs		
See attach	ned						
Drafting	History:		······				
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/?	pkahler 11/12/2008	kfollett 11/19/2008					
/1			mduchek 11/20/200	08	lparisi 11/20/2008		
/2	pkahler 11/20/2008	kfollett 11/24/2008	phenry 11/24/200	08	sbasford 11/24/2008	lparisi 11/25/2008	

FE Sent For: NONE

**<END>** 

### 2009 DRAFTING REQUEST

#### Bill

Receive	d: <b>11/12/2008</b>				Received By: pl	kahler	
Wanted:	As time perm	its			Identical to LRB	3:	
For: Ma	rlin Schneider	(608) 266-021	15		By/Representing	g: his office	
This file	may be shown	to any legislate	or: NO		Drafter: pkahler	r	
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Topic:							74 - 25%
Requirir	ng insurance co	verage of undar	maged prope	erty to match i	repairs		
Instruc	tions:	September 1					
See atta	ched						
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Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
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/1			mduchek 11/20/20	08	lparisi 11/20/2008		
/2	pkahler 11/20/2008	kfollett 11/24/2008	phenry 11/24/20	08	sbasford 11/24/2008		

FE Sent For:

**<END>** 

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Wanted	: As time perm	its			Identical to LRE	3:	
For: Ma	ırlin Schneider	(608) 266-021	<b>5</b>		By/Representing	g: his office	
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Requirii	ng insurance co	verage of undar	naged prop	erty to match i	repairs		
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/?	pkahler 11/12/2008	kfollett 11/19/2008					
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### 2009 DRAFTING REQUEST

Bill

Received: 11/12/2008	Received By: pkahler	
Wanted: As time permits	Identical to LRB:	
For: Marlin Schneider (608) 266-0215	By/Representing: his office	
This file may be shown to any legislator: NO	Drafter: pkahler	
May Contact:	Addl. Drafters:	
Subject: Insurance - other insurance Submit via email: YES	Extra Copies:	
Requester's email: Rep.Schneider@legis.wisco Carbon copy (CC:) to: Pre Topic:	nsin.gov	···
No specific pre topic given		
Topic:		
Requiring insurance coverage of undamaged property to	match repairs	
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**Drafted** 

pkahler

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# STATE OF WISCONSIN – LEGISLATIVE REFERENCE BUREAU

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# State of Misconsin 2007 - 2008 LEGISLATURE

2009 -2010

PJK:kifmwn

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December 19, 2007 - Introduced by Representative Schneider. Referred to Committee on Insurance.

AN ACT to create 632.06 of the statutes; relating to: insurance coverage of modifications to undamaged portions of property to match repaired portions of property.

#### Analysis by the Legislative Reference Bureau

This bill provides that an insurer under a property insurance policy may agree to pay for any cosmetic modifications, such as painting or siding installation, to the undamaged portion of the property that are necessary to match the repaired, rebuilt, or replaced portion of the property that was damaged.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**SECTION 1.** 632.06 of the statutes is created to read:

**632.06 Restoration of whole property.** An insurer may agree in a property insurance policy to indemnify the insured for the cost of any cosmetic modifications, such as painting or installation of siding, to undamaged parts of the insured property

#### **ASSEMBLY BILL 632**

1	that are necessary	to match th	he repaired,	rebuilt,	or replaced	portion	of the i	insured
	v				-	-		

- 2 property that was damaged.
- 3 (END)

# state of wisconsin – Legislative Reference Bureau

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

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#### State of Wisconsin 2009 - 2010 LEGISLATURE

PJK:kjfxmc

#### 2009





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property.

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#### BILL

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2 property that was damaged.

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(Susert 2-2)

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# 2009-2010 DRAFTING INSERT FROM THE

#### LEGISLATIVE REFERENCE BUREAU

elusat 2-2

SECTION 1. Initial applicability.

1

(1) If a fire or other property insurance policy that is in effect on the effective

date of this subsection contains a provision that is inconsistent with this act, this act

4 first applies to that insurance policy on the date on which it is renewed.

(and guiset 2-2)

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

Date

LRB-0737/2dn PJK:......

a don't more

Just to refresh your memory, I am providing portions of a drafter's note that was included with the first version of this bill draft last session. You chose number 4 of the options in the first paragraph. That is why the first draft you received this session allowed an insurer to agree in the policy to indemnify the insured for cosmetic modifications to undamaged portions of the property. From last session:

You could treat the requirement in this draft in any of the following ways: 1) require an insurer to comply with the payment requirement always, if it is not inconsistent with any policy provisions; 2) require an insurer to comply with the payment requirement always by making it a policy provision; 3) require an insurer to comply with the payment requirement only if the insured requests it at the time of the repair and it is not inconsistent with any policy provisions; or 4) require an insurer to comply with the payment requirement only if the insured requests that it be made a part of the policy when the policy is issued or renewed, similar to s. 632.05 (1).

Since the requirement in this draft will most likely increase premiums, choosing option #1 or #2 above will increase premiums for everyone who buys property insurance. Choosing option #3 above will most likely increase premiums for everyone, too, since an insurer will never know in advance when the "extended" coverage might be requested. Some insureds might not care about minor differences resulting from repairs or might not want to pay a higher premium; choosing option #4 above is more likely to give persons buying property insurance a choice between higher premiums and the "extended" coverage.

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

E-mail: pam.kahler@legis.wisconsin.gov

when I was

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-0737/2dn PJK:kjf:ph

November 24, 2008

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

E-mail: pam.kahler@legis.wisconsin.gov

#### Basford, Sarah

From:

Sent:

Schneider, Marlin Tuesday, November 25, 2008 10:40 AM LRB.Legal

To:

Subject:

Draft Review: LRB 09-0737/2 Topic: Requiring insurance coverage of undamaged property to

match repairs

Please Jacket LRB 09-0737/2 for the ASSEMBLY.