

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**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Schneider@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Requiring insurance coverage of undamaged property to match repairs

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>
/?	pkahler 11/12/2008	kfollett 11/19/2008		_____			
/1			mduchek 11/20/2008	_____	lparisi 11/20/2008		
/2	pkahler 11/20/2008	kfollett 11/24/2008	phenry 11/24/2008	_____	sbasford 11/24/2008	lparisi 11/25/2008	

FE Sent For: **NONE**

<END>

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/?	pkahler	11/19 kjf	11/20 MD	11/20 MD			

FE Sent For:

<END>

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

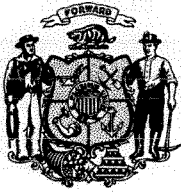
Legal (608-266-3561)

LRB

11-12

Rep Schneider

redraft 2007 AB 632



State of Wisconsin
2007 - 2008 LEGISLATURE
2009 - 2010

07371
LRB-3153/1
PJK:kjfmwn
gf

2009 ←
~~2007~~ ASSEMBLY BILL ~~632~~

(w 11-13)

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

Repeal of

1 AN ACT to create 632.06 of the statutes; relating to: insurance coverage of
2 modifications to undamaged portions of property to match repaired portions of
3 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:

4 SECTION 1. 632.06 of the statutes is created to read:
5 **632.06 Restoration of whole property.** An insurer may agree in a property
6 insurance policy to indemnify the insured for the cost of any cosmetic modifications,
7 such as painting or installation of siding, to undamaged parts of the insured property

ASSEMBLY BILL 632

SECTION 1

1 that are necessary to match the repaired, rebuilt, or replaced portion of the insured
2 property that was damaged.

3 (END)

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

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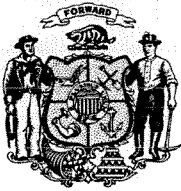
Legal (608-266-3561)

LRB

Jessica - Rep Schneider

LRB-0737

change language so that in such
modifications to
has to cover the ~~un~~ undamaged
parts



rmisner

2009 BILL

(in 11-20)
D-note

Regen

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Analysis by the Legislative Reference Bureau

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shall

BILL

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2 property that was damaged.

3 (END)

Insert 2-2

D-urto

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

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

insert 2-2

1 **SECTION 1. Initial applicability.**

- 2 (1) If a ~~fire or other~~ property insurance policy that is in effect on the effective
3 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.

(end of insert 2-2)

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

LRB-0737/2dn

PJK...*kgf*

Date

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

indent more

indent more

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