2011 DRAFTING REQUEST

Senate Amendment (SA-SB7) Received: 01/25/2011 Received By: pkahler Wanted: Soon Companion to LRB: For: Frank Lasee (608) 266-3512 By/Representing: John Vanderleest May Contact: Drafter: pkahler Subject: **Insurance - auto** Addl. Drafters: Extra Copies: Submit via email: YES Requester's email: Sen.Lasee@legis.wisconsin.gov Carbon copy (CC:) to: **Pre Topic:** No specific pre topic given Topic: Make UIM optional **Instructions:** See attached **Drafting History:** Vers. **Drafted** Reviewed **Typed Proofed Submitted Jacketed** Required /? pkahler wjackson 01/25/2011 01/25/2011 /1 rschluet mbarman mbarman 01/25/2011 01/25/2011 01/25/2011

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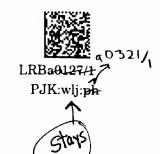
STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU - LEGAL SECTION (608-266-3561)

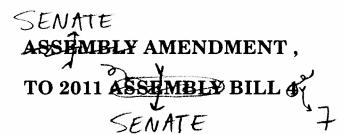
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State of Misconsin 2011 - 2012 LEGISLATURE





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At the locations indicated, amend the bill as follows:

1. Page 10, line 8: delete lines 8 to 22 and substitute:

"Section 17m. 632.32 (4) (title) of the statutes is amended to read:

632.32 (4) (title) Required uninsured motorist, underinsured motorist, and medical payments coverages.

SECTION 18m. 632.32 (4) (a) 1. of the statutes is amended to read:

632.32 (4) (a) 1. Excluding a policy written by a town mutual organized under ch. 612, uninsured motorist coverage, in limits of at least \$100,000 \$25,000 per person and \$300,000 \$50,000 per accident.

SECTION 19m. 632.32 (4) (a) 2m. of the statutes is repealed.

SECTION 20c. 632.32 (4) (a) 3m. of the statutes is renumbered 632.32 (4) (a) 2.

and amended to read:

632.32 (4) (a) 2. Medical payments coverage, in the amount of at least \$10,000 \$1,000 per person. Coverage written under this subdivision may be excess coverage over any other source of reimbursement to which the insured person has a legal right.

Section 20m. 632.32 (4) (bc) of the statutes is amended to read:

632.32 (4) (bc) Notwithstanding par. (a) 3m. 2, the named insured may reject medical payments coverage. If the named insured rejects the coverage, the coverage need not be provided in a subsequent renewal policy issued by the same insurer unless the insured requests it in writing.

SECTION 21c. 632.32 (4) (d) of the statutes is amended to read:

632.32 (4) (d) This subsection does not apply to commercial liability policies or umbrella or excess liability policies, which are subject to sub. (4r).

SECTION 21m. 632.32 (4m) of the statutes is created to read:

632.32 (4m) Underinsured motorist coverage. (a) Except as provided in par. (e), an insurer writing policies that insure with respect to a motor vehicle registered or principally garaged in this state against loss resulting from liability imposed by law for bodily injury or death suffered by a person arising out of the ownership, maintenance, or use of a motor vehicle shall provide to one insured under each such insurance policy that goes into effect after the effective date of this paragraph [LRB inserts date], that is written by the insurer and that does not include underinsured motorist coverage written notice of the availability of underinsured motorist coverage, including a brief description of the coverage. An insurer is required to provide the notice required under this paragraph only one time and in conjunction with the delivery of the policy.

(b) Acceptance or rejection of underinsured motorist coverage by a person after being notified under par. (a) need not be in writing. The absence of a premium

payment for underinsured motorist coverage is conclusive proof that the person has
rejected such coverage. The rejection of such coverage by the person notified under
par. (a) shall apply to all persons insured under the policy, including any renewal of
the policy.

- (c) If a person rejects underinsured motorist coverage after being notified under par. (a), the insurer is not required to provide such coverage under a policy that is renewed to the person by that insurer unless an insured under the policy subsequently requests such underinsured motorist coverage in writing.
- (d) If an insured accepts underinsured motorist coverage, the insurer shall include the coverage in limits of at least \$50,000 per person and \$100,000 per accident.
- (e) This subsection does not apply to commercial liability policies or umbrella or excess liability policies.".
 - 2. Page 12, line 5: after "(4)" insert "(title),".
 - **3.** Page 12, line 6: delete "3m. and (d)" and substitute "3m., (bc), and (d), (4m)".

(END)