

As Introduced

136th General Assembly

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H. B. No. 652

Representatives Lorenz, Brennan

**Cosponsors: Representatives King, Young, McNally, Synenberg, Click, Cockley,
Pizzulli, Sigrist, Rogers, Barhorst, Hall, T., Stephens, Glassburn, Jarrells**

To amend section 3937.26 and to enact section	1
3937.261 of the Revised Code regarding time	2
frames for insurance policy nonrenewal	3
notifications.	4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3937.26 be amended and section	5
3937.261 of the Revised Code be enacted to read as follows:	6

Sec. 3937.26. (A) <u>(A)</u> (1) An insurer may refuse to renew a	7
policy of commercial property insurance, commercial fire	8
insurance, or commercial casualty insurance other than fidelity	9
or surety bonds, medical malpractice insurance, and automobile	10
insurance as defined in section 3937.30 of the Revised Code, by	11
mailing <u>sending a written notice of the insurer's intention not</u>	12
<u>to renew the policy to</u> the insured, <u>at the insured's last known</u>	13
address, <u>and the insured's agent or agent of record, as</u>	14
<u>applicable,</u> at least thirty <u>sixty</u> days prior to the date of the	15
expiration date of the policy, a notice of the insurer's	16
intention not to renew the policy.	17

<u>(2) If the insured has agreed to receive communications</u>	18
<u>from the insurer via electronic means, the written notice may be</u>	19

sent via electronic means; 20

(3) If the insured has not agreed to receive 21
communications from the insurer via electronic means, the 22
written notice shall be sent via mail to the insured's and the 23
agent's last known address. 24

(4) Such notice shall contain all of the following: 25

~~(1)~~ (a) The policy number; 26

~~(2)~~ (b) The date of the notice; 27

~~(3)~~ (c) The expiration date of the policy. 28

~~Such notice of nonrenewal also shall be mailed to the~~ 29
~~insured's agent.~~ 30

(B) If the notice of nonrenewal is ~~mailed~~ sent less than 31
~~thirty~~ sixty days before the expiration date of the policy, the 32
insured's coverage then in effect remains in effect until ~~thirty~~ 33
sixty days after the date ~~of mailing~~ the notice was sent, unless 34
the agent, agent of record, or the insured notifies the insurer 35
in writing that the insured accepts the nonrenewal as stated. 36
The insurer shall notify the insured of the amount of the 37
premium for the time after the expiration date that the coverage 38
may remain in effect, and the insured shall pay such premium 39
unless the insured accepts the stated nonrenewal. The premium 40
must be calculated using the rates originally applicable to the 41
insured's coverage then in effect. 42

Sec. 3937.261. (A) (1) An insurer may refuse to renew a 43
personal lines policy of homeowners insurance, including 44
coverage for tenants or condominium owners or owner-occupied 45
fire or dwelling property coverage, by sending a written notice 46
of the insurer's intention not to renew the policy to the 47

insured and the insured's agent or agent of record, as 48
applicable. 49

(2) If the insured has agreed to receive communications 50
from the insurer via electronic means, the written notice may be 51
sent via electronic means; 52

(3) If the insured has not agreed to receive 53
communications from the insurer via electronic means, the 54
written notice shall be sent via mail to the insured's and the 55
agent's last known address. 56

(B) (1) The notice of nonrenewal required under division 57
(A) of this section shall be sent at least sixty days prior to 58
the expiration date of the policy. 59

(2) (a) If the notice of nonrenewal is sent less than sixty 60
days before the expiration date of the policy, the insured's 61
coverage then in effect remains in effect until sixty days after 62
the date the notice was sent, unless the insured notifies the 63
insurer in writing that the insurer accepts the nonrenewal as 64
stated. 65

(b) The insurer shall notify the insured of the amount of 66
the premium for the time after the expiration date that the 67
coverage may remain in effect, and the insured shall pay such 68
premium unless the insured accepts the stated nonrenewal. The 69
premium shall be calculated using the rates originally 70
applicable to the insured's coverage then in effect. 71

(C) The notice of nonrenewal required under division (A) 72
of this section shall include all of the following: 73

(1) The policy number; 74

(2) The date of the notice; 75

<u>(3) The effective date of expiration;</u>	76
<u>(4) Either of the following:</u>	77
<u>(a) An explanation of the reason for nonrenewal and the</u>	78
<u>information upon which it is based;</u>	79
<u>(b) A statement that such an explanation will be provided</u>	80
<u>to the insured in writing within five days after the insurer</u>	81
<u>receives a written request for such an explanation from the</u>	82
<u>insured.</u>	83
<u>(D) Except as otherwise provided in division (B) (2) of</u>	84
<u>this section, upon compliance by the insurer with all</u>	85
<u>requirements of this section, such an insurance policy expires</u>	86
<u>on the expiration date stated in the policy and notice of</u>	87
<u>nonrenewal.</u>	88
Section 2. That existing section 3937.26 of the Revised	89
Code is hereby repealed.	90
Section 3. Sections 1 and 2 of this act take effect six	91
months after the effective date of this section.	92