

CHAPTER 331
HB 1259 - FINAL VERSION

28Mar2024... 0762h
13Jun2024... 2242CofC

2024 SESSION

24-2261
05/10

HOUSE BILL ***1259***

AN ACT relative to property and casualty insurance laws administered by the insurance department.

SPONSORS: Rep. Hunt, Ches. 14

COMMITTEE: Commerce and Consumer Affairs

AMENDED ANALYSIS

This bill clarifies the distinction between personal and commercial lines in homeowners policies; permits the use of electronic communication for auditable basis policies; requires the insurer to state the specific reason for cancellation or refusal to renew a policy; and provides an exemption to the insurance claims adjusters statute for persons who solely handle automobile glass claims.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to property and casualty insurance laws administered by the insurance department.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 331:1 Regulation of Forms and Rates for Property and Casualty Insurance; Definition of Personal
2 Risk; Distinction Between Personal and Commercial Lines. Amend RSA 412:3, XV to read as follows:

3 XV. "Personal risk" means homeowners, ~~[including dwelling insurance for owner-occupied one to~~
4 ~~4 family buildings,]~~ tenants, private passenger ~~[non-fleet automobiles on a personal]~~ automobile policy,
5 ~~[mobile homes]~~ and other property and casualty insurance for personal, family or household needs. This
6 includes any property and casualty insurance that is otherwise intended for non-commercial coverage.

7 331:2 Regulation of Forms and Rates for Property and Casualty Insurance; Auditable Basis Policies.
8 Amend RSA 412:35, II to read as follows:

9 II. Audits shall be conducted by either physical inspection of an insured's records and operations,
10 or by telephone, ~~[or]~~ mail, ~~[request]~~ ***electronic communication or by virtual means as requested*** by the
11 insurer to the insured.

12 331:3 Cancellation, Refusal to Write, Renew; Application of Chapter. Amend RSA 417-B:1 to read as
13 follows:

14 417-B:1 Application of Chapter. This chapter shall apply to policies of insurance other than
15 automobile insurance and workers' compensation insurance on ***personal, family, and household*** risks
16 located or residents in this state which insure any of the following contingencies:

17 I. Loss of or damage to real property ~~[which is used solely for residential purposes, which is~~
18 ~~owner occupied, and which consists of not more than 4 dwelling units].~~

19 II. Loss of or damage to personal property ~~[owned by natural persons except personal property~~
20 ~~used in the conduct of a commercial or industrial enterprise].~~

21 III. Legal liability of a ~~[natural]~~ person or persons for loss of, damage to, or injury to, persons or
22 property~~[, but not including policies primarily insuring risks arising from the conduct of a commercial or~~
23 ~~industrial enterprise].~~

24 331:4 Cancellation; Refusal to Renew; Notice. Amend RSA 417-B:4, II to read as follows:

25 II. State the specific reason or reasons of the insurer for cancellation or refusal to renew ~~[or be~~
26 ~~accompanied by a statement that upon written request of the named insured, mailed or delivered to the~~
27 ~~insurer not less than 10 days prior to the effective date of cancellation or refusal to renew, the insurer will~~
28 ~~specify the reason or reasons for such cancellation, or refusal to renew. The insurer shall supply such~~
29 ~~information within 5 days of receipt by it of such request].~~

30 331:5 New Subparagraph; Insurance Claims Adjusters; Definitions; Exemptions. Amend RSA 402-
31 B:2, III by inserting after subparagraph (e) the following new subparagraph:

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- 1 (f) A person who solely investigates, negotiates, settles, or completes a first notice of loss
2 form for automobile glass replacement or repair claims.

331:6 Effective Date. This act shall take effect January 1, 2025.

Approved: August 02, 2024
Effective Date: January 01, 2025