

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Kriseman offered the following:

Amendment to Amendment (951461)

Remove lines 2689-2706 and insert:

(3) (a) If in the event of a loss occurs for which a dwelling or personal property is insured on the basis of replacement costs, the insurer shall initially pay at least the actual cash value of the insured loss, less any applicable deductible. A policyholder shall subsequently enter into a contract for the performance of building and structural repairs. The insurer shall pay any remaining amounts incurred to perform such repairs as the work is performed. Payment by the insurer shall be made within 15 days after the insurer's receipt of a contractor's invoice for work performed or expenses incurred. With the exception of incidental expenses to mitigate further damage, the insurer or any contractor or subcontractor shall not

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17 require the insured to advance payment for such repairs or
18 expenses. The insurer may waive the requirement for a contract
19 as provided in this paragraph. When an insurer pays a claim by
20 applying actual cash value provisions of the act and when the
21 insured paid premiums based on replacement cost coverage, the
22 insurer shall pay the insured a premium refund representing the
23 difference between the actual cash value premium and the
24 replacement cost value premium. If a total loss occurs, the
25 insurer shall pay the replacement cost for the dwelling
26 ~~replacement cost~~ without reservation or holdback of any
27 depreciation in value, as currently set forth in this section
28 ~~whether or not the insured replaces or repairs the dwelling or~~
29 ~~property.~~