

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0995.01 Renee Leone x2695

HOUSE BILL 25-1322

HOUSE SPONSORSHIP

Carter and Espenoza,

SENATE SPONSORSHIP

Exum and Roberts,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A HOMEOWNER'S INSURANCE CARRIER'S DUTY TO**
102 **COMPLY WITH A POLICYHOLDER'S REQUEST FOR A COPY OF**
103 **THEIR INSURANCE POLICY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill modifies current law regarding the process by which a policyholder may request a certified copy of their insurance policy (policy) from a homeowner's insurance carrier (carrier) and the carrier's duty to comply. The bill clarifies that such a request must be in written form and received by the carrier's registered agent (agent) and that the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

carrier's window of time to make the policy available begins when the agent receives the request.

The bill also creates civil liability for a carrier that fails to comply with a policyholder's request for a certified copy of their policy by imposing damages in the amount of \$50 per day for each day the carrier is late.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 10-4-110.8, **amend**
3 (10) as follows:

4 **10-4-110.8. Homeowner's insurance - prohibited and required**
5 **practices - estimates of replacement value - additional living expense**
6 **coverage - copies of policies - personal property contents coverage -**
7 **inventory of personal property - requirements concerning total loss**
8 **scenarios resulting from wildfire disasters - definitions - rules.**

9 (10) (a) ~~Every~~ A homeowner's insurance carrier shall make available to
10 a policyholder an electronic or paper copy of the policyholder's insurance
11 policy, including the declaration page and any endorsements, within three
12 business days after a request from the policyholder. The policyholder
13 shall determine the method of delivery. ~~Every homeowner's insurance~~
14 ~~carrier shall make available to a policyholder a certified copy of the~~
15 ~~policyholder's insurance policy within thirty days after a request from the~~
16 ~~policyholder.~~

17 (b) A HOMEOWNER'S INSURANCE CARRIER SHALL MAKE AVAILABLE
18 TO A POLICYHOLDER A CERTIFIED COPY OF THE POLICYHOLDER'S
19 INSURANCE POLICY WITHIN THIRTY CALENDAR DAYS AFTER A WRITTEN
20 REQUEST FROM THE POLICYHOLDER IS RECEIVED BY THE INSURANCE
21 CARRIER'S REGISTERED AGENT.

22 (c) (I) A HOMEOWNER'S INSURANCE CARRIER THAT FAILS TO **MAKE**

1 AVAILABLE A CERTIFIED COPY OF AN INSURANCE POLICY TO A REQUESTING
2 POLICYHOLDER WITHIN THIRTY CALENDAR DAYS PURSUANT TO
3 SUBSECTION (10)(b) OF THIS SECTION IS LIABLE TO THE REQUESTING
4 POLICYHOLDER FOR A PENALTY IN THE AMOUNT OF FIFTY DOLLARS PER
5 DAY, BEGINNING ON THE THIRTY-FIRST CALENDAR DAY AFTER THE
6 INSURANCE CARRIER'S REGISTERED AGENT RECEIVES THE POLICYHOLDER'S
7 REQUEST. THE PENALTY ACCRUES DAILY UNTIL THE INSURANCE CARRIER
8 MAKES THE CERTIFIED COPY OF THE HOMEOWNER'S INSURANCE POLICY
9 AVAILABLE TO THE REQUESTING POLICYHOLDER.

10 (II) A HOMEOWNER'S INSURANCE CARRIER THAT VIOLATES
11 SUBSECTION (10)(b) OF THIS SECTION IS RESPONSIBLE FOR REASONABLE
12 ATTORNEY FEES AND COSTS THAT A REQUESTING POLICYHOLDER INCURS
13 ENFORCING THIS SUBSECTION (10)(c).

14 **SECTION 2. Act subject to petition - effective date -**
15 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
16 the expiration of the ninety-day period after final adjournment of the
17 general assembly; except that, if a referendum petition is filed pursuant
18 to section 1 (3) of article V of the state constitution against this act or an
19 item, section, or part of this act within such period, then the act, item,
20 section, or part will not take effect unless approved by the people at the
21 general election to be held in November 2026 and, in such case, will take
22 effect on the date of the official declaration of the vote thereon by the
23 governor.

24 (2) This act applies to requests made on or after the applicable
25 effective date of this act.