

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 17-1045.01 Thomas Morris x4218

**HOUSE BILL 17-1263**

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**HOUSE SPONSORSHIP**

**McKean and Hansen,**

**SENATE SPONSORSHIP**

**Gardner,**

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**House Committees**

Business Affairs and Labor

**Senate Committees**

Business, Labor, & Technology

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101

**CONCERNING AN AUTHORIZATION FOR THE COMMISSIONER OF  
INSURANCE TO ISSUE A LICENSE THAT ALLOWS A LIMITED LINES  
PRODUCER TO SELL LIMITED LINES SELF-STORAGE INSURANCE.**

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**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 authorizes the commissioner of insurance to issue a license that allows an owner or operator of a self-service storage facility to offer limited lines insurance to the occupant of self-storage space at the facility to cover the occupant's personal property that is stored in the self-storage space.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters indicate new material to be added to existing statute.*

*Dashes through the words indicate deletions from existing statute.*

SENATE  
Amended 2nd Reading  
April 20, 2017

HOUSE  
3rd Reading Unamended  
April 5, 2017

HOUSE  
Amended 2nd Reading  
April 4, 2017

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 17 to article

3 4 of title 10 as follows:

## PART 17

## SELF-STORAGE INSURANCE LIMITED LICENSES

**10-4-1701. Definitions.** AS USED IN THIS PART 17, UNLESS THE

## 7 CONTEXT OTHERWISE REQUIRES:

10                   (2) "INSURER" MEANS AN ADMITTED COMPANY OR AUTHORIZED  
11                   COMPANY, AS DEFINED IN SECTION 10-1-102 (3), APPROVED TO TRANSACT  
12                   INSURANCE IN THIS STATE.

13

14 (3) "OCCUPANT" MEANS A PERSON OR HIS OR HER LESSEE,  
15 SUCCESSOR, OR ASSIGNEE ENTITLED TO THE USE OF A SELF-STORAGE SPACE  
16 AT A SELF-SERVICE STORAGE FACILITY, TO THE EXCLUSION OF OTHERS,  
17 UNDER A SELF-STORAGE RENTAL AGREEMENT.

18 (4) "OFFER AND DISSEMINATE" MEANS TO PROVIDE GENERAL  
19 INFORMATION ABOUT SELF-STORAGE INSURANCE, INCLUDING A  
20 DESCRIPTION OF THE COVERAGE AND PRICE, AS WELL AS PROCESSING THE  
21 APPLICATION, COLLECTING PREMIUMS, AND PERFORMING OTHER  
22 NONLICENSEABLE ACTIVITIES PERMITTED BY THE STATE.

23 (5) "SELF-SERVICE STORAGE FACILITY" MEANS REAL PROPERTY  
24 DESIGNED AND USED FOR THE SOLE PURPOSE OF RENTING OR LEASING  
25 INDIVIDUAL STORAGE SPACE TO OCCUPANTS WHO ARE GIVEN ACCESS TO  
26 A SELF-STORAGE SPACE FOR THE SOLE PURPOSE OF STORING AND

1 REMOVING PERSONAL PROPERTY.

2 (6) "SELF-STORAGE INSURANCE" MEANS INSURANCE COVERAGE  
3 FOR PROPERTY LOSS INCIDENTAL TO THE RENTAL OF A SELF-STORAGE  
4 SPACE AT A SELF-SERVICE STORAGE FACILITY.

5 (7) "SELF-STORAGE RENTAL AGREEMENT" MEANS A WRITTEN  
6 AGREEMENT SETTING FORTH THE TERMS AND CONDITIONS GOVERNING THE  
7 USE OF A SELF-STORAGE SPACE PROVIDED BY A SELF-SERVICE STORAGE  
8 FACILITY FOR RENT OR LEASE.

9 (8) "SELF-STORAGE RETAILER" MEANS A BUSINESS ENTITY THAT  
10 RENTS SELF-STORAGE UNITS AND MAY OFFER AND DISSEMINATE  
11 SELF-STORAGE INSURANCE AS A SERVICE TO ITS CUSTOMERS ON BEHALF OF  
12 AND UNDER THE DIRECTION OF A SUPERVISING ENTITY.       

13 (9) "SELF-STORAGE SPACE" MEANS A DESIGNATED STORAGE UNIT  
14 OR OTHER DESIGNATED SPACE AT A SELF-SERVICE STORAGE FACILITY.

15 (10) "SUPERVISING ENTITY" MEANS A BUSINESS ENTITY OR PERSON  
16 THAT IS A LIMITED LINE PRODUCER, AS THAT TERM IS DEFINED IN SECTION  
17 10-2-103 (7.3), AUTHORIZED BY AN INSURER TO SUPERVISE A  
18 SELF-STORAGE RETAILER.

19 **10-4-1702. Authority to issue license.** (1) A SUPERVISING  
20 ENTITY MUST HOLD A LIMITED LINES SELF-STORAGE INSURANCE PRODUCER  
21 LICENSE ISSUED BY THE DIVISION IN ACCORDANCE WITH PART 4 OF ARTICLE  
22 2 OF THIS TITLE 10 IN ORDER TO SELL, SOLICIT, OR NEGOTIATE  
23 SELF-STORAGE INSURANCE.

24 (2) AN EMPLOYEE OR AUTHORIZED REPRESENTATIVE OF A  
25 SELF-STORAGE RETAILER MAY OFFER AND DISSEMINATE SELF-STORAGE  
26 INSURANCE TO A CUSTOMER AT EACH SELF-STORAGE RETAILER LOCATION  
27 AT WHICH THE EMPLOYEE OR AUTHORIZED REPRESENTATIVE IS

1 SUPERVISED BY A SUPERVISING ENTITY.

2 (3) AN EMPLOYEE OR AUTHORIZED REPRESENTATIVE OF A  
3 SELF-STORAGE RETAILER SHALL NOT ADVERTISE, REPRESENT, OR  
4 OTHERWISE HOLD HIMSELF OR HERSELF OUT AS A LICENSED INSURER,  
5 INSURANCE AGENT, OR INSURANCE PRODUCER, AND SHALL NEITHER  
6 EVALUATE NOR INTERPRET THE TECHNICAL TERMS, BENEFITS, OR  
7 CONDITIONS OF THE OFFERED SELF-STORAGE INSURANCE WITH THE  
8 OCCUPANT OR EVALUATE OR PROVIDE ADVICE CONCERNING AN  
9 OCCUPANT'S EXISTING INSURANCE COVERAGE.

10 (4) UNLESS THE SELF-STORAGE RETAILER IS A SUPERVISING  
11 ENTITY, THE SELF-STORAGE RETAILER SHALL NOT ADVERTISE, REPRESENT,  
12 OR OTHERWISE HOLD ITSELF OUT AS A LICENSED INSURER, INSURANCE  
13 AGENT, OR INSURANCE PRODUCER, AND SHALL NEITHER EVALUATE NOR  
14 INTERPRET THE TECHNICAL TERMS, BENEFITS, OR CONDITIONS OF THE  
15 OFFERED SELF-STORAGE INSURANCE WITH THE OCCUPANT OR EVALUATE  
16 OR PROVIDE ADVICE CONCERNING AN OCCUPANT'S EXISTING INSURANCE  
17 COVERAGE.

18 (5) A SUPERVISING ENTITY SHALL MAINTAIN A REGISTRY OF  
19 SELF-STORAGE RETAILER LOCATIONS THAT ARE AUTHORIZED TO OFFER  
20 AND DISSEMINATE SELF-STORAGE INSURANCE COVERAGE IN THIS STATE.  
21 UPON REQUEST BY THE COMMISSIONER AND WITH TEN DAYS' NOTICE TO  
22 THE SUPERVISING ENTITY, THE SUPERVISING ENTITY SHALL MAKE THE  
23 REGISTRY OPEN TO INSPECTION AND EXAMINATION BY THE COMMISSIONER  
24 DURING REGULAR BUSINESS HOURS OF THE SUPERVISING ENTITY.

25 (6) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A LICENSE  
26 ISSUED PURSUANT TO THIS PART 17 AUTHORIZES THE LICENSEE AND ITS  
27 EMPLOYEES OR AUTHORIZED REPRESENTATIVES TO ENGAGE IN THOSE

1 ACTIVITIES THAT ARE PERMITTED IN THIS PART 17.

2 **10-4-1703. License - application - restrictions.** (1) (a) BEFORE  
3 BEING ISSUED A LIMITED LINES SELF-STORAGE INSURANCE PRODUCER  
4 LICENSE, A PERSON MUST SUBMIT AN APPLICATION FOR A LIMITED LINES  
5 SELF-STORAGE LICENSE IN ACCORDANCE WITH SECTION 10-2-404; EXCEPT  
6 THAT THE APPLICANT IS NOT REQUIRED TO PROVIDE THE INFORMATION  
7 SPECIFIED IN SECTION 10-2-404 (2).

8 (b) A SUPERVISING ENTITY IS RESPONSIBLE FOR COMPLIANCE WITH  
9 THIS PART 17. IF A SELF-STORAGE RETAILER HAS MORE THAN ONE  
10 SUPERVISING ENTITY, THE COMMISSIONER MAY HOLD ALL SUPERVISING  
11 ENTITIES RESPONSIBLE FOR A VIOLATION OF THIS PART 17 IN ACCORDANCE  
12 WITH SECTION 10-4-1709. IF A SELF-STORAGE RETAILER DERIVES MORE  
13 THAN FIFTY PERCENT OF ITS REVENUE FROM THE SALE OF LIMITED LINES  
14 SELF-STORAGE INSURANCE, THE SELF-STORAGE RETAILER SHALL PROVIDE  
15 THE LOCATION OF THE SELF-STORAGE RETAILER'S HOME OFFICE AND THE  
16 NAME, RESIDENTIAL ADDRESS, AND OTHER INFORMATION REQUIRED BY  
17 THE COMMISSIONER FOR ALL OFFICERS, DIRECTORS, AND SHAREHOLDERS  
18 OF RECORD HAVING BENEFICIAL OWNERSHIP OF TEN PERCENT OR MORE OF  
19 ANY CLASS OF THE SELF-STORAGE RETAILER'S SECURITIES REGISTERED  
20 UNDER FEDERAL SECURITIES LAWS. FOR PURPOSES OF THIS SECTION:

21 (I) A SUPERVISING ENTITY IS NOT REQUIRED TO BE AN OFFICER,  
22 PARTNER, OR DIRECTOR OF THE SELF-STORAGE RETAILER; AND  
23 (II) THE APPLICANT FOR A LIMITED LINES SELF-STORAGE  
24 INSURANCE PRODUCER LICENSE PURSUANT TO THIS PART 17 IS EXEMPT  
25 FROM THE REQUIREMENTS OF SECTION 10-2-406.

26 (c) BY JULY 1, 2018, A PERSON ENGAGED IN THE SALE,  
27 SOLICITATION, OR NEGOTIATION OF SELF-STORAGE INSURANCE BEFORE THE

1 EFFECTIVE DATE OF THIS PART 17 SHALL EITHER APPLY FOR A LIMITED  
2 LINES SELF-STORAGE INSURANCE PRODUCER LICENSE OR CEASE ENGAGING  
3 IN THE SALE OF SELF-STORAGE INSURANCE. TO SELL, SOLICIT, OR  
4 NEGOTIATE SELF-STORAGE INSURANCE ON OR AFTER JULY 1, 2018, A  
5 PERSON MUST FIRST OBTAIN A LIMITED LINES SELF-STORAGE INSURANCE  
6 PRODUCER LICENSE. A LIMITED LINES SELF-STORAGE INSURANCE  
7 PRODUCER LICENSE APPLICATION MUST BE ACCCOMPANIED BY A FEE  
8 PRESCRIBED BY THE COMMISSIONER IN ACCORDANCE WITH SECTION  
9 10-2-413. A LIMITED LINES SELF-STORAGE INSURANCE PRODUCER LICENSE  
10 MUST BE RENEWED AS SET FORTH IN SECTION 10-2-408.

11 (2) A SUPERVISING ENTITY MAY SELL, SOLICIT, OR NEGOTIATE, OR  
12 OFFER TO SELL, SOLICIT, OR NEGOTIATE, SELF-STORAGE INSURANCE ONLY  
13 IN CONNECTION WITH, AND INCIDENTAL TO, THE RENTAL OF A  
14 SELF-STORAGE SPACE IN A SELF-SERVICE STORAGE FACILITY. THE  
15 SELF-STORAGE INSURANCE MAY PROVIDE COVERAGE ONLY FOR DAMAGE  
16 OR LOSS TO THE PERSONAL PROPERTY OF THE OCCUPANT CONTAINED IN  
17 THE SELF-STORAGE SPACE.

18 **10-4-1704. Disclosures to occupant.** (1) BEFORE ISSUING A  
19 POLICY UNDER THIS PART 17, A SELF-STORAGE RETAILER SHALL PROVIDE  
20 AN OCCUPANT WITH A WRITTEN SELF-STORAGE INSURANCE POLICY OR  
21 SELF-STORAGE INSURANCE CERTIFICATE THAT:

22 (a) SUMMARIZES CLEARLY AND CORRECTLY THE MATERIAL TERMS  
23 OF COVERAGE OFFERED TO THE OCCUPANT, INCLUDING THE IDENTITY AND  
24 CONTACT INFORMATION OF BOTH THE INSURER AND THE SUPERVISING  
25 ENTITY;

26 (b) STATES THE BENEFITS OF COVERAGE;

27 (c) STATES THAT THE SELF-STORAGE INSURANCE BEING OFFERED

1 MAY PROVIDE A DUPLICATION OF INSURANCE COVERAGE ALREADY  
2 PROVIDED BY A HOMEOWNER'S INSURANCE POLICY OR OTHER SOURCE OF  
3 COVERAGE IN EFFECT FOR THE OCCUPANT. THE STATEMENT MUST INCLUDE  
4 A SPACE THAT ALLOWS THE OCCUPANT TO WRITE THE OCCUPANT'S INITIALS  
5 TO SIGNIFY THE OCCUPANT'S ACKNOWLEDGMENT AND UNDERSTANDING OF  
6 THE POTENTIAL DUPLICATION REFERENCED IN THIS SUBSECTION (1)(c).

7 THE RETAILER SHALL SPECIFICALLY BRING THE POTENTIAL DUPLICATION  
8 REFERENCED IN THIS SUBSECTION (1)(c) AND THE OPPORTUNITY TO WRITE  
9 THE OCCUPANT'S INITIALS TO THE OCCUPANT'S ATTENTION BY ORALLY  
10 OFFERING THE OCCUPANT AN OPPORTUNITY TO READ THE STATEMENT AND  
11 WRITE THE OCCUPANT'S INITIALS IN THE SPACE PROVIDED;

12 (d) STATES THE DEDUCTIBLE OF THE SELF-STORAGE INSURANCE  
13 COVERAGE AND DESCRIBES THE PROCESS FOR FILING A CLAIM;

14 (e) STATES WHETHER THE POLICY COVERS FLOOD DAMAGE TO  
15 STORED PROPERTY; AND

16 (f) STATES THAT THE SELF-STORAGE RETAILER CAN ANSWER  
17 GENERAL INFORMATION ABOUT THE SELF-STORAGE INSURANCE OFFERED,  
18 INCLUDING A DESCRIPTION OF THE COVERAGE AND PREMIUM, BUT IS  
19 NEITHER QUALIFIED NOR AUTHORIZED TO ANSWER TECHNICAL QUESTIONS  
20 ABOUT THE TERMS AND CONDITIONS OF THE SELF-STORAGE INSURANCE  
21 OFFERED AND DISSEMINATED BY THE SUPERVISING ENTITY OR TO  
22 EVALUATE THE ADEQUACY OF THE OCCUPANT'S EXISTING INSURANCE  
23 COVERAGE, IF ANY.

24 (2) IF THE SELF-STORAGE RENTAL AGREEMENT REQUIRES THE  
25 OCCUPANT TO PROVIDE PROOF OF INSURANCE, THIS INSURANCE COVERAGE  
26 REQUIREMENT MAY BE SATISFIED IF THE OCCUPANT:

27 (a) PURCHASES THIS COVERAGE FROM A SELF-STORAGE RETAILER;

1 OR

2 (b) PROVIDES EVIDENCE OF THIS COVERAGE FROM ANOTHER  
3 SOURCE.

4 **10-4-1705. Supervision of issuance - training.** (1) A  
5 SUPERVISING ENTITY SHALL SUPERVISE THE ADMINISTRATION OF THE  
6 OFFERING AND DISSEMINATING OF SELF-STORAGE INSURANCE. THE  
7 SUPERVISING ENTITY SHALL DEVELOP A TRAINING PROGRAM FOR THE  
8 OFFERING AND DISSEMINATING OF THE SELF-STORAGE INSURANCE AND  
9 SHALL REQUIRE ANY INDIVIDUAL WORKING FOR OR ACTING ON BEHALF OF  
10 THE SELF-STORAGE RETAILER TO ATTEND THE TRAINING.

11 (2) THE TRAINING PROGRAM REQUIRED PURSUANT TO SUBSECTION  
12 (1) OF THIS SECTION IS MANDATORY FOR ANY INDIVIDUAL WORKING FOR  
13 OR ACTING ON BEHALF OF A SELF-STORAGE RETAILER THAT IS DIRECTLY  
14 ENGAGED IN THE ACTIVITY OF OFFERING OR DISSEMINATING SELF-STORAGE  
15 INSURANCE AND MUST INCLUDE THE FOLLOWING:

16 (a) AN EDUCATION PROGRAM REGARDING SELF-STORAGE  
17 INSURANCE THAT IS CONDUCTED AND OVERSEEN BY THE SUPERVISING  
18 ENTITY;

19 (b) INSTRUCTION TO ANY INDIVIDUAL OR BUSINESS ENTITY  
20 WORKING FOR OR ACTING ON BEHALF OF A SELF-STORAGE RETAILER  
21 ABOUT THE SELF-STORAGE INSURANCE OFFERED TO OCCUPANTS AND THE  
22 DISCLOSURES REQUIRED PURSUANT TO THIS PART 17; AND

23 (c) INSTRUCTION THAT ANY INDIVIDUAL OR BUSINESS ENTITY  
24 WORKING FOR OR ACTING ON BEHALF OF A SELF-STORAGE RETAILER SHALL  
25 NOT:

26 (I) ADVERTISE, REPRESENT, OR OTHERWISE HOLD HIMSELF OR  
27 HERSELF OUT AS A LICENSED INSURANCE PRODUCER OF ANY KIND; OR

1 (II) EVALUATE OR INTERPRET TECHNICAL TERMS, BENEFITS, OR  
2 CONDITIONS OF THE OFFERED SELF-STORAGE INSURANCE OR EVALUATE AN  
3 OCCUPANT'S EXISTING INSURANCE COVERAGE, IF THE OCCUPANT HAS ANY  
4 SUCH COVERAGE.

5 (3) THE SELF-STORAGE RETAILER MAY BILL AND COLLECT  
6 PREMIUMS FOR SELF-STORAGE INSURANCE. THESE SELF-STORAGE  
7 INSURANCE PREMIUMS MUST BE SEPARATELY ITEMIZED IF THEY ARE NOT  
8 INCLUDED IN THE COST OF THE RENTAL. IF THE PREMIUMS ARE INCLUDED  
9 IN THE COST OF THE RENTAL OF THE SELF-STORAGE SPACE, A SUPERVISING  
10 ENTITY SHALL ENSURE THAT IT IS CLEARLY AND CONSPICUOUSLY  
11 DISCLOSED TO THE OCCUPANT THAT THE SELF-STORAGE INSURANCE IS  
12 INCLUDED WITH THE RENTAL FEES FOR THE SELF-STORAGE SPACE. A  
13 SUPERVISING ENTITY SHALL ESTABLISH A SEPARATE FIDUCIARY ACCOUNT  
14 FOR THE COLLECTED COVERAGE PREMIUMS BUT IS NOT REQUIRED TO  
15 SEGREGATE THE INDIVIDUAL OCCUPANTS' PREMIUMS IN THAT ACCOUNT.  
16 A SUPERVISING ENTITY SHALL REMIT THE COVERAGE PREMIUM CHARGES  
17 TO THE INSURER WITHIN SIXTY DAYS AFTER RECEIPT. ALL COVERAGE  
18 PREMIUMS HELD BY A SUPERVISING ENTITY ARE HELD IN TRUST BY THE  
19 SUPERVISING ENTITY IN A FIDUCIARY CAPACITY FOR THE BENEFIT OF THE  
20 INSURER.

10-4-1706. Compensation. (1) THIS PART 17 DOES NOT PROHIBIT  
THE PAYMENT OR RECEIPT OF RELATED COMPENSATION IN THE FORM OF A  
COMMISSION, SERVICE FEE, BROKERAGE, OR OTHER VALUABLE  
CONSIDERATION FOR THE SALE OF SELF-STORAGE INSURANCE THAT THE  
SUPERVISING ENTITY IS AUTHORIZED TO SELL, SOLICIT, OR NEGOTIATE  
UNDER THIS PART 17 IF THE SUPERVISING ENTITY WAS DULY LICENSED  
UNDER THIS PART 17 FOR THE PERFORMANCE OF THE SERVICES AND HAS

1 MET ALL CONDITIONS AS SET FORTH IN THIS PART 17.

2 (2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A  
3 SELF-STORAGE RETAILER SHALL NOT COMPENSATE EMPLOYEES BASED  
4 PRIMARILY ON THE NUMBER OF OCCUPANTS ENROLLED FOR LIMITED LINES  
5 SELF-STORAGE INSURANCE, BUT THE SELF-STORAGE RETAILER MAY  
6 COMPENSATE EMPLOYEES FOR ACTIVITIES UNDER THE LIMITED LINES  
7 EMPLOYEE'S OR SUPERVISING ENTITY'S OVERALL COMPENSATION.

8 **10-4-1707. Exemption from requirements.** NOTWITHSTANDING  
9 ANY OTHER PROVISION OF THIS PART 17, RULE PROMULGATED BY THE  
10 COMMISSIONER, OR ORDER ISSUED BY THE COMMISSIONER, A SUPERVISING  
11 ENTITY IS NOT REQUIRED TO MEET THE PRELICENSURE EDUCATIONAL  
12 REQUIREMENTS IN SECTION 10-2-201, CONTINUING EDUCATION  
13 REQUIREMENTS IN SECTION 10-2-301, OR EXAMINATION REQUIREMENTS IN  
14 SECTION 10-2-402.

15 **10-4-1708. Notification.** (1) NOTWITHSTANDING ANY OTHER  
16 PROVISION OF LAW:

17 (a) (I) WHENEVER WRITTEN NOTICE OR CORRESPONDENCE WITH  
18 RESPECT TO A POLICY IS REQUIRED, THE INSURER SHALL SEND THE NOTICE  
19 WITHIN THE NOTICE PERIOD, IF ANY, SPECIFIED BY LAW AND MAY SEND  
20 NOTICES AND CORRESPONDENCE BY EITHER MAIL OR ELECTRONIC MEANS.  
21 FOR PURPOSES OF THIS SUBSECTION (1)(a)(I), AN OCCUPANT'S PROVISION  
22 OF AN E-MAIL ADDRESS TO THE INSURER OR SUPERVISING ENTITY IS  
23 CONSENT TO RECEIVE WRITTEN NOTICES AND CORRESPONDENCE BY  
24 ELECTRONIC MEANS.

25 (II) IF THE WRITTEN NOTICE IS MAILED, THE INSURER SHALL SEND  
26 IT TO THE SUPERVISING ENTITY AT THE SUPERVISING ENTITY'S ADDRESS AS  
27 WELL AS TO THE LAST-KNOWN ADDRESS OF THE OCCUPANT AND SHALL

1 MAINTAIN PROOF OF MAILING IN A FORM AUTHORIZED OR ACCEPTED BY  
2 THE UNITED STATES POSTAL SERVICE OR OTHER COMMERCIAL MAIL  
3 DELIVERY SERVICE.

4 (III) IF THE WRITTEN NOTICE IS SENT BY ELECTRONIC MEANS, THE  
5 INSURER SHALL SEND IT TO THE SUPERVISING ENTITY AT THE SUPERVISING  
6 ENTITY'S E-MAIL ADDRESS AND TO THE OCCUPANT'S LAST-KNOWN E-MAIL  
7 ADDRESS AS PROVIDED BY THE OCCUPANT AND SHALL MAINTAIN PROOF  
8 THAT THE WRITTEN NOTICE WAS SENT.

9 (b) A SUPERVISING ENTITY MAY SEND ANY NOTICE OR  
10 CORRESPONDENCE REQUIRED BY THIS SECTION OR OTHERWISE REQUIRED  
11 BY LAW ON BEHALF OF THE INSURER OR SELF-STORAGE RETAILER.

12 **10-4-1709. Enforcement.** (1) THE COMMISSIONER MAY, AFTER  
13 NOTICE AND OPPORTUNITY FOR A HEARING, RESPOND TO A VIOLATION OF  
14 A PROVISION OF THIS PART 17 BY:

15 (a) TAKING DISCIPLINARY ACTION AGAINST ANY SUPERVISING  
16 ENTITY PURSUANT TO SECTION 10-2-801;

17 (b) IMPOSING OTHER PENALTIES, INCLUDING SUSPENDING THE  
18 LICENSE OF A SUPERVISING ENTITY FOR A VIOLATION OF THIS PART 17  
19 OCCURRED, AS THE COMMISSIONER CONSIDERS NECESSARY OR  
20 CONVENIENT TO CARRY OUT THIS PART 17; OR

21 (c) SUSPENDING OR REVOKING THE ABILITY OF ANY INDIVIDUAL  
22 WORKING FOR OR ACTING ON BEHALF OF A SELF-STORAGE RETAILER TO  
23 ACT UNDER THE LIMITED LINES SELF-STORAGE INSURANCE PRODUCER  
24 LICENSE.

25 **SECTION 2. Act subject to petition - effective date -**  
26 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
27 the expiration of the ninety-day period after final adjournment of the

1 general assembly (August 9, 2017, if adjournment sine die is on May 10,  
2 2017); except that, if a referendum petition is filed pursuant to section 1  
3 (3) of article V of the state constitution against this act or an item, section,  
4 or part of this act within such period, then the act, item, section, or part  
5 will not take effect unless approved by the people at the general election  
6 to be held in November 2018 and, in such case, will take effect on the  
7 date of the official declaration of the vote thereon by the governor.

8 (2) This act applies to conduct occurring on or after the applicable  
9 effective date of this act.