

CHAPTER 406

INSURANCE

HOUSE BILL 25-1322

BY REPRESENTATIVE(S) Carter and Espenozo, Bacon, Boesenecker, Lieder;
also SENATOR(S) Exum and Roberts, Amabile, Ball, Cutter, Hinrichsen, Kipp, Michaelson Jenet, Weissman.

AN ACT

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

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

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

10-4-110.8. Homeowner's insurance - prohibited and required practices - estimates of replacement value - additional living expense coverage - copies of policies - personal property contents coverage - inventory of personal property - requirements concerning total loss scenarios resulting from wildfire disasters - definitions - rules. (10) (a) ~~Every~~ A homeowner's insurance carrier shall make available to a policyholder an electronic or paper copy of the policyholder's insurance policy, including the declaration page and any endorsements, within three business days after a request from the policyholder. The policyholder shall determine the method of delivery. ~~Every homeowner's insurance carrier shall make available to a policyholder a certified copy of the policyholder's insurance policy within thirty days after a request from the policyholder.~~

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

(c) (I) A HOMEOWNER'S INSURANCE CARRIER THAT FAILS TO MAKE AVAILABLE A CERTIFIED COPY OF AN INSURANCE POLICY TO A REQUESTING POLICYHOLDER WITHIN THIRTY CALENDAR DAYS PURSUANT TO SUBSECTION (10)(b) OF THIS SECTION IS LIABLE TO THE REQUESTING POLICYHOLDER FOR A PENALTY IN THE AMOUNT OF FIFTY DOLLARS PER DAY, BEGINNING ON THE THIRTY-FIRST CALENDAR DAY AFTER THE

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

INSURANCE CARRIER'S REGISTERED AGENT RECEIVES THE POLICYHOLDER'S REQUEST. THE PENALTY ACCRUES DAILY UNTIL THE INSURANCE CARRIER MAKES THE CERTIFIED COPY OF THE HOMEOWNER'S INSURANCE POLICY AVAILABLE TO THE REQUESTING POLICYHOLDER.

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

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

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

Approved: June 3, 2025