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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE NO. **2157**

March 25, 2009

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The bill was read for the first time and referred to the Committee on Commerce and Labor

1.1 A bill for an act
1.2 relating to insurance; requiring the Joint Underwriting Association to provide
1.3 liquor liability insurance on the same basis as other insurance; amending
1.4 Minnesota Statutes 2008, section 62I.13, subdivision 2.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2008, section 62I.13, subdivision 2, is amended to read:

1.7 Subd. 2. **Minimum of qualifications.** Anyone who is unable to obtain insurance
1.8 in the private market and who so certifies to the association in the application is eligible
1.9 to make written application to the association for coverage. The application may require
1.10 information as provided in section 62I.08. Payment of the applicable premium or required
1.11 portion of it must be paid prior to coverage by the association. An offer of coverage at a
1.12 rate in excess of the rate that would be charged by the association for similar coverage and
1.13 risk shall be deemed to be a refusal of coverage for purposes of eligibility for participation
1.14 in the association. It shall not be deemed to be a written notice of refusal if the rate for
1.15 coverage offered is less than ten percent in excess of the joint underwriting association
1.16 rates for similar coverage and risk ~~or 20 percent in excess of the Joint Underwriting~~
1.17 ~~Association rates for liquor liability coverages.~~ However, the offered rate must be the rate
1.18 generally charged by the insurer for similar coverage and risk.

1.19 **EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to
1.20 applications for coverage submitted to the Joint Underwriting Association on or after
1.21 that date.