

House Bill 878 (AS PASSED HOUSE AND SENATE)

By: Representatives Clark of the 147<sup>th</sup>, Smith of the 134<sup>th</sup>, Blackmon of the 146<sup>th</sup>, Raffensperger of the 50<sup>th</sup>, Lumsden of the 12<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 33-24-44.1 of the Official Code of Georgia Annotated, relating to  
2 procedure for cancellation by an insured and notice, so as to change certain provisions  
3 regarding cancellation of an insurance policy by an insured; to provide for related matters;  
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 33-24-44.1 of the Official Code of Georgia Annotated, relating to procedure  
8 for cancellation by an insured and notice, is amended by revising subsection (a) as follows:  
9 "(a) An insured may request cancellation of an existing insurance policy by returning the  
10 original policy to the insurer or by making a ~~written~~ request for cancellation of an insurance  
11 policy to the insurer or its duly authorized agent orally, electronically, or in writing stating  
12 a future date on which the policy is to be canceled. In the event of oral cancellation the  
13 insurer, shall, within 10 days provide such insured, electronically or in writing,  
14 confirmation of such requested cancellation. The insurer or its duly authorized agent may  
15 require that the insured provide written, electronic, or other recorded verification of the  
16 request for cancellation prior to such cancellation taking effect. Such cancellation shall be  
17 accomplished in the following manner:

18 (1) If only the interest of the insured is affected, the policy shall be canceled on the later  
19 of the date the returned policy or ~~written~~ request is received by the insurer or its duly  
20 authorized agent or the date specified in the ~~written~~ request; provided, however, that upon  
21 receipt of a ~~written~~ request for cancellation from an insured, an insurer may waive the  
22 future date requirement by confirming the date and time of cancellation ~~in writing~~ to the  
23 insured and the insurer shall document in its policy file the request for cancellation along  
24 with the date of the requested cancellation;

25 (2) If by statute, regulation, or contract the insurance policy may not be canceled unless  
26 notice is given to a governmental agency, mortgagee, or other third party, the insurer

27 shall mail or deliver such notice stating the date cancellation shall become effective, but  
28 such date shall not be less than ten days from the date of mailing or delivery of the  
29 notice."

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**SECTION 2.**

31 All laws and parts of laws in conflict with this Act are repealed.