

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

661C0831

HOUSE BILL NO. 1256

Introduced by: Representative Diedtrich (Elmer)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions to limit the cancellation of
2 certain insurance policies.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 58-33-59 be amended to read as follows:

5 58-33-59. Terms used in this section and §§ 58-33-60 to 58-33-65, inclusive, ~~unless the~~
6 ~~context otherwise requires~~, mean:

- 7 (1) "Cancellation," termination by the insurer of ~~property~~ insurance coverage in whole or
8 in part during the policy term. A policy with no fixed expiration date is considered a
9 policy period or term of one year;
- 10 (2) "Insurance," includes those policies of insurance defined in §§ 58-9-5 to 58-9-27,
11 inclusive;
- 12 (3) "Nonpayment of premium," the failure of the named insured to discharge any
13 obligation in connection with the payment of premiums on policies of ~~property~~
14 insurance subject to this section and §§ 58-33-60 to 58-33-65, inclusive, whether such
15 payments are directly payable to the insurer or its agent or indirectly payable under
16 a premium finance plan or extension of credit.

17 Section 2. That § 58-33-60 be amended to read as follows:

1 58-33-60. A notice of cancellation of ~~property~~ insurance coverage by an insurer shall be
2 mailed or delivered by the insurer to the named insured at least twenty days before the effective
3 cancellation date and shall be accompanied by a written explanation of the specific reasons for
4 the cancellation.