

1 AN ACT relating to insurer's loss run statements.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 304.20-100 is amended to read as follows:

4 (1) As used in this section:

5 (a) "Commercial property and casualty" means any kind of property and casualty  
6 insurance relating to commercial risks that is not insurance for personal risks  
7 as defined in KRS 304.13-011;

8 (b) "Loss run statement" means a report relating to commercial property and  
9 casualty risks maintained by an insurer containing the history of claims  
10 occurring within a policy term; and

11 (c) "Provide" means to mail, personally deliver, or electronically send a  
12 document, or to allow access through an electronic portal to view or generate  
13 a document.

14 (2) An insurer shall provide a loss run statement to an insured or an insurer's agent  
15 within twenty (20) calendar days of receipt of a written request submitted by the  
16 insured or the insurer's agent.

17 (3) An insurer's agent that receives a loss run statement pursuant to subsection (2) of  
18 this section shall provide a copy of the loss run statement to the insured within five  
19 (5) calendar days of receipt by the agent.

20 (4) The loss run statement provided pursuant to subsection (2) of this section shall be a  
21 **three (3)**~~five (5)~~ year loss run history for the prior **three (3)**~~five (5)~~ years or a  
22 complete loss run history with the insurer if the history is less than **three (3)**~~five  
23 (5)~~ years. **A loss run statement provided pursuant to this section shall not include  
24 any reference to loss reserves applicable to claims made prior to the three (3) year  
25 period preceding the date of the statement.**

26 (5) An insurer's agent that receives a loss run statement pursuant to subsection (2) of  
27 this section shall not divulge consumer information to any third party, except in

1           accordance with applicable laws governing the privacy of consumer financial  
2           information, health information, or other information that is otherwise required by  
3           law to be held as confidential.

4   (6)   An insurer shall not charge any fees to prepare and provide one (1) loss run  
5           statement in accordance with subsection (2) of this section.