

1 AN ACT relating to the prohibition of patriot penalties in insurance.

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

3 ➔Section 1. A NEW SECTION OF SUBTITLE 20 OF KRS CHAPTER 304 IS
4 CREATED TO READ AS FOLLOWS:

5 (1) For purposes of this section, "military service" has the same meaning as in 50
6 U.S.C. sec. 3911.

7 (2) An insurer shall not refuse to issue a policy of motor vehicle liability insurance,
8 nor impose an additional premium, solely because the person is uninsured at the
9 time of application if, during the period the person was without insurance, the
10 person was:

11 (a) On military service as a member of the United States Armed Forces,
12 including the National Guard and the United States Armed Forces Reserve;
13 and

14 (b) Absent from the Commonwealth.

15 (3) Upon application, an insurer shall request whether the person was on military
16 service during the period the person was uninsured. An insurer may require the
17 person to provide reasonable documentation to verify the person's military
18 service.

19 (4) An insurer who demonstrates a willful pattern of noncompliance with subsection
20 (2) of this section shall commit an unfair trade practice under Subtitle 12 of this
21 chapter and shall be subject to administrative penalties under Subtitle 99 of this
22 chapter.