

By: Representative Watson

To: Insurance

HOUSE BILL NO. 1053

1 AN ACT TO AMEND SECTION 83-11-101, MISSISSIPPI CODE OF 1972,
2 TO MANDATE UNINSURED MOTORIST COVERAGE IN ALL AUTOMOBILE LIABILITY
3 INSURANCE POLICIES; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 83-11-101, Mississippi Code of 1972, is
6 amended as follows:

7 83-11-101. (1) No automobile liability insurance policy or
8 contract shall be issued or delivered after January 1, 1967,
9 unless it contains an endorsement or provisions undertaking to pay
10 the insured all sums which he shall be legally entitled to recover
11 as damages for bodily injury or death from the owner or operator
12 of an uninsured motor vehicle, within limits which shall be no
13 less than those set forth in the Mississippi Motor Vehicle Safety
14 Responsibility Law, as amended, under provisions approved by the
15 Commissioner of Insurance; however, at the option of the insured,
16 the uninsured motorist limits may be increased to limits not to
17 exceed those provided in the policy of bodily injury liability
18 insurance of the insured or such lesser limits as the insured
19 elects to carry over the minimum requirement set forth by this
20 section. * * *

21 (2) No automobile liability insurance policy or contract
22 shall be issued or delivered after January 1, 1980, unless it
23 contains an endorsement or provisions undertaking to pay the
24 insured all sums which he shall be legally entitled to recover as
25 damages for property damage from the owner or operator of an
26 uninsured motor vehicle, within limits which shall be no less than
27 those set forth in the Mississippi Motor Vehicle Safety

28 Responsibility Law, as amended, under provisions approved by the
29 Commissioner of Insurance; however, at the option of the insured,
30 the uninsured motorist limits may be increased to limits not to
31 exceed those provided in the policy of property damage liability
32 insurance of the insured or such lesser limits as the insured
33 elects to carry over the minimum requirement set forth by this
34 section. * * *

35 The property damage provision may provide an exclusion for
36 the first Two Hundred Dollars (\$200.00) of such property damage;
37 however, the uninsured motorist provision need not insure any
38 liability for property damage, for which loss the policyholder has
39 been compensated by insurance or otherwise.

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41 **SECTION 2.** This act shall take effect and be in force from
42 and after July 1, 2004.