

## REPORT OF CONFERENCE COMMITTEE

**MADAM PRESIDENT AND MR. SPEAKER:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2809: Auto liability insurance; place lienholder's name on insurance check as loss payee.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

8        **SECTION 1.** An insurer paying a claim under automobile  
9 physical damage coverage or automobile collision coverage, as such  
10 terms are defined in Section 83-11-1, shall add as a payee on the  
11 check, in addition to the name of the insured, either the name of  
12 the business or other entity repairing the automobile or, in the  
13 case of a total loss, the name of any known lienholder of the  
14 automobile. Within sixty (60) days after receipt of the check,  
15 the lienholder shall pay any balance owed to the debtor. However,  
16 in the case of a total loss, the insurer may issue separate checks  
17 to the lienholder and to the insured for the amount of each  
18 party's financial interest in the vehicle. This section shall not  
19 apply to the repair or replacement of glass in the vehicle.

20        **SECTION 2.** Section 1 of this act shall be codified within  
21 Chapter 11, Title 83 of the Mississippi Code of 1972.

22        **SECTION 3.** This act shall take effect and be in force from  
23 and after July 1, 2007.

**Further, amend by striking the title in its entirety and inserting in lieu thereof the following:**

1        AN ACT TO REQUIRE AN INSURER PAYING A CLAIM FOR CERTAIN  
2 DAMAGES UNDER A POLICY OF AUTOMOBILE INSURANCE TO ADD AS A PAYEE  
3 ON THE CHECK, IN ADDITION TO THE NAME OF THE INSURED, EITHER THE  
4 NAME OF THE BUSINESS REPAIRING THE AUTOMOBILE OR, IN THE CASE OF A

5 TOTAL LOSS, THE NAME OF ANY KNOWN LIENHOLDER OF THE AUTOMOBILE;  
6 AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

X (SIGNED)  
Kirby

X (SIGNED)  
Thomas

X (SIGNED)  
Turner

CONFEREES FOR THE HOUSE

X (SIGNED)  
Formby

X (SIGNED)  
Buck

X (SIGNED)  
Moore