

By: Representative Baria

To: Insurance

HOUSE BILL NO. 863

1 AN ACT TO AMEND SECTION 83-34-5, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT THE MISSISSIPPI WINDSTORM UNDERWRITING ASSOCIATION
3 MUST WRITE POLICIES ON HOMES WITH A FORTIFIED HOME DESIGNATION BY
4 THE INSTITUTE FOR BUSINESS AND HOME SAFETY; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** Section 83-34-5, Mississippi Code of 1972, is
8 amended as follows:

9 83-34-5. (1) The association shall, pursuant to the
10 provisions of this chapter and the plan of operation, and with
11 respect to essential property insurance on insurable property,
12 have the power:

13 (a) To issue policies of essential property insurance
14 on insurable property to applicants;

15 (b) At its option, and with consent of the
16 commissioner, to issue policies of related essential property
17 insurance on insurable property to applicants;

18 (c) To purchase reinsurance for all or part of the
19 risks of the association;



20 (d) To levy and collect regular assessments from
21 assessable insurers;

22 (e) To issue bonds or incur other forms of
23 indebtedness, including, but not limited to, loans, lines of
24 credit or letters of credit;

25 (f) To establish underwriting criteria consistent with
26 the provisions of this chapter and as approved by the
27 commissioner;

28 (g) To invest and reinvest income and assets subject to
29 the oversight of the commissioner;

30 (h) To enter into contractual agreements with third
31 parties, including the Mississippi Windstorm Mitigation
32 Coordinating Council, for the purposes of developing and
33 implementing windstorm mitigation programs; and

34 (i) All other powers necessary to carry out the
35 provisions and intent of this chapter.

36 (2) The association must write property and casualty
37 insurance policies on homes with a FORTIFIED Home designation as
38 certified by the Institute for Business and Home Safety. Licensed
39 architects, engineers or inspectors certified by the insurance
40 department shall determine whether a dwelling meets the criteria
41 for a "fortified home" pursuant to the Institute for Business and
42 Home Safety.

43 **SECTION 2.** This act shall take effect and be in force from
44 and after July 1, 2018.

