

By: Representative Watson

To: Insurance

HOUSE BILL NO. 895

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, or would be legally  
12 entitled to recover as damages for bodily injury or death but for  
13 the immunity provided under the Mississippi Tort Claims Act, from  
14 the owner or operator of an uninsured motor vehicle, within limits  
15 which shall be no less than those set forth in the Mississippi  
16 Motor Vehicle Safety Responsibility Law, as amended, under  
17 provisions approved by the Commissioner of Insurance; however, at  
18 the option of the insured, the uninsured motorist limits may be



19 increased to limits not to exceed those provided in the policy of  
20 bodily injury liability insurance of the insured or such lesser  
21 limits as the insured elects to carry over the minimum requirement  
22 set forth by this section. \* \* \*

23 (2) No automobile liability insurance policy or contract  
24 shall be issued or delivered after January 1, 1980, unless it  
25 contains an endorsement or provisions undertaking to pay the  
26 insured all sums which he shall be legally entitled to recover as  
27 damages for property damage, or would be legally entitled to  
28 recover as damages for property damage but for the immunity  
29 provided under the Mississippi Tort Claims Act, from the owner or  
30 operator of an uninsured motor vehicle, within limits which shall  
31 be no less than those set forth in the Mississippi Motor Vehicle  
32 Safety Responsibility Law, as amended, under provisions approved  
33 by the Commissioner of Insurance; however, at the option of the  
34 insured, the uninsured motorist limits may be increased to limits  
35 not to exceed those provided in the policy of property damage  
36 liability insurance of the insured or such lesser limits as the  
37 insured elects to carry over the minimum requirement set forth by  
38 this section. \* \* \*

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



44 \* \* \*

45           **SECTION 2.** This act shall take effect and be in force from  
46 and after its passage.

