

By: Representative Watson

To: Insurance

HOUSE BILL NO. 1109

1 AN ACT TO AMEND SECTION 83-11-101, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT UNINSURED MOTORIST COVERAGE LIMITS SHALL BE
3 AUTOMATICALLY EQUAL TO THE LIMITS OF BODILY INJURY LIABILITY
4 COVERAGE AND PROPERTY DAMAGE LIABILITY COVERAGE UNLESS THE INSURED
5 SPECIFICALLY SELECTS UNINSURED MOTORIST COVERAGE OF LESSER LIMITS;
6 AND FOR RELATED PURPOSES.

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

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

10 83-11-101. (1) No automobile liability insurance policy or
11 contract shall be issued or delivered after January 1, 1967,
12 unless it contains an endorsement or provisions undertaking to pay
13 the insured all sums which he shall be legally entitled to recover
14 as damages for bodily injury or death, or would be legally
15 entitled to recover as damages for bodily injury or death but for
16 the immunity provided under the Mississippi Tort Claims Act, from
17 the owner or operator of an uninsured motor vehicle, within limits
18 which shall be no less than those set forth in the Mississippi
19 Motor Vehicle Safety Responsibility Law, as amended, under
20 provisions approved by the Commissioner of Insurance * * *. For



21 any such policy or contract issued or delivered after July 1,
22 2025, the limits of the uninsured motorist coverage shall be
23 identical to the limits of bodily injury liability coverage in the
24 policy and shall be not less than the minimum limits of coverage
25 required by the Mississippi Motor Vehicle Safety Responsibility
26 Law; however, the named insured may select, in writing signed by
27 the insured, limits of such coverage that are less than limits of
28 bodily injury liability coverage in the policy, but not less than
29 the minimum limits required by the Mississippi Motor Vehicle
30 Safety Responsibility Law. Once limits of uninsured motorist
31 coverage less than the liability limits are selected in writing
32 signed by the insured, the lower limits may be included in any
33 renewal policy later issued to him or her by the same insurer
34 unless the named insured requests additional coverage in writing.
35 However, whenever a new application is submitted in connection
36 with any renewal, reinstatement or replacement transaction, the
37 provisions of this section shall apply in the same manner as when
38 a new policy is being issued. The coverage herein required shall
39 not be applicable where any insured named in the policy shall
40 reject the coverage in writing and provided further, that unless
41 the named insured requests such coverage in writing, such coverage
42 need not be provided in any renewal policy, any replacement policy
43 with the same or substantially similar terms and conditions issued
44 by the same insurer, and any transferred policy with the same or
45 substantially similar terms and conditions issued by a licensed



46 affiliate of the original insurer where the named insured had
47 rejected the coverage in connection with a policy previously
48 issued to him by the same insurer or a licensed affiliate of the
49 original insurer in the same holding company.

50 (2) No automobile liability insurance policy or contract
51 shall be issued or delivered after January 1, 1980, unless it
52 contains an endorsement or provisions undertaking to pay the
53 insured all sums which he shall be legally entitled to recover as
54 damages for property damage, or would be legally entitled to
55 recover as damages for property damage but for the immunity
56 provided under the Mississippi Tort Claims Act, from the owner or
57 operator of an uninsured motor vehicle * * *. For any such policy
58 or contract issued or delivered after July 1, 2025, the limits of
59 the uninsured motorist property damage coverage shall be identical
60 to the limits provided in the policy for property damage liability
61 coverage unless the insured specifically selects, in writing
62 signed by the insured, lower limits of uninsured motorist property
63 damage coverage; however, the insured may not select uninsured
64 motorist property damage coverage limits that are less than the
65 property damage liability limits required by the Mississippi Motor
66 Vehicle Safety Responsibility Law. Once the lower limits are
67 selected in writing signed by the named insured, the lower limits
68 may be provided in any renewal policies later issued to him or her
69 by the same insurer unless the named insured requests higher
70 limits in writing. However, whenever a new application is



71 submitted in connection with any renewal, reinstatement or
72 replacement transaction, the provisions of this section shall
73 apply in the same manner as when a new policy is being issued.

74 The coverage herein required shall not be applicable where any
75 insured named in the policy shall reject the coverage in writing
76 and provided further, that unless the named insured requests such
77 coverage in writing, such coverage need not be provided in any
78 renewal policy, any replacement policy with the same or
79 substantially similar terms and conditions issued by the same
80 insurer, and any transferred policy with the same or substantially
81 similar terms and conditions issued by a licensed affiliate of the
82 original insurer where the named insured had rejected the coverage
83 in connection with a policy previously issued to him by the same
84 insurer or a licensed affiliate of the original insurer in the
85 same holding company.

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

91 (3) The insured may reject the property damage liability
92 insurance coverage required by subsection (2) and retain the
93 bodily injury liability insurance coverage required by subsection
94 (1), but if the insured rejects the bodily injury liability
95 coverage he may not retain the property damage liability coverage.



96 No insured may have property damage liability insurance coverage
97 under this section unless he also has bodily injury liability
98 insurance coverage under this section.

99 (4) In the course of the sale or issuance of any automobile
100 liability insurance policy, insurers shall inform the named
101 insured or applicant, on a form approved by the Department of
102 Insurance, of the benefits of and reasons for electing to purchase
103 uninsured motorist coverage. If the insured named in the policy
104 wishes to reject uninsured motorist coverage, such form shall be
105 signed by * * * the named insured. * * *

106 **SECTION 2.** This act shall take effect and be in force from
107 and after July 1, 2025.

