

By: Representative Ford (54th)

To: Insurance

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1611

1 AN ACT TO AMEND SECTION 83-5-28, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE INSURANCE COMPANIES TO ISSUE NOTICES FOR RENEWAL,  
3 CANCELLATION, REDUCTION OF COVERAGE OR NONRENEWAL OF PROPERTY AND  
4 CASUALTY INSURANCE NOT LESS THAN FORTY-FIVE DAYS BEFORE THE  
5 EFFECTIVE DATE OF THE RENEWAL, CANCELLATION, REDUCTION OF COVERAGE  
6 OR NONRENEWAL; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 83-5-28, Mississippi Code of 1972, is  
9 amended as follows:

10 [From July 1, 2025, until July 1, 2026, this section shall  
11 read as follows:]

12 83-5-28. (1) A cancellation, reduction in coverage or  
13 nonrenewal of liability insurance coverage, fire insurance  
14 coverage or single premium multiperil insurance coverage is not  
15 effective as to any coverage issued or renewed after \* \* \* July 1,  
16 2025, but before June 30, 2026, unless notice is mailed or  
17 delivered to the insured and to any named creditor loss payee by  
18 the insurer not less than thirty (30) days prior to the effective  
19 date of such cancellation, reduction or nonrenewal. This section  
20 shall not apply to nonpayment of premium unless there is a named



21 creditor loss payee, in which case at least ten (10) days' notice  
22 is required. The cancellation and nonrenewal notice requirements  
23 of this section shall not apply when a replacement policy form is  
24 issued by the same insurer or when a transfer of an insured to a  
25 licensed affiliate of the insurer occurs, so long as the  
26 replacement of policy forms or transfer results in the same or  
27 substantially similar coverage and the insurer mails or delivers  
28 to the insured at least thirty (30) days prior to the renewal  
29 effective date notice of any term or condition that is less  
30 favorable to the policyholder.

31 (2) The provisions of subsection (1) shall be incorporated  
32 into each liability, fire and multiperil policy issued or renewed  
33 after \* \* \* July 1, 2025, but before June 30, 2026; and if such  
34 provisions are not expressly stated in the policy, such provisions  
35 shall be deemed to be incorporated in the policy.

36 (3) Whenever a replacement policy form is issued by the same  
37 insurer or when transfer of an insured to a licensed affiliate  
38 occurs, documents signed by the insured are applicable to the  
39 replacement policy form, the coverage transferred to a licensed  
40 affiliate insurer, or both, and remain valid and enforceable.

41 (4) A transferring insurer shall notify the Mississippi  
42 Insurance Department at least forty-five (45) days in advance of  
43 notifying a policyholder that its personal or commercial lines  
44 insurance policies will be transferred to another licensed insurer  
45 within the same insurance group or same holding company. The



notice shall include the name of insurer transferring the personal or commercial lines policies and the name and financial rating of the insurer receiving the transferred personal or commercial lines policies.

(5) A transferring insurer shall provide the policyholder written notice of the policy transfer at least thirty (30) days prior to expiration of the policy term and shall include the financial rating of the insurer receiving the transferred policy. Such notice must be provided to the policyholder with the notice of renewal premium at least thirty (30) days before the effective date of the transfer.

(6) As used in this section:

(a) "Affiliate transfer" is when an insurer transfers, at renewal or policy expiration, its personal or commercial lines insurance policies to an affiliated licensed insurer that is a member of the same insurance group or same holding company as the transferring insurer. The issuance of a replacement policy form providing the same or substantially similar coverage issued by the same insurer, or the transfer of personal or commercial insurance policies to a licensed affiliate insurer that will issue the same or substantially similar policy, are considered a renewal and will not be treated as a cancellation or nonrenewal. The affiliate transfer must be to a licensed affiliate insurer that has been determined by the commissioner to have the same or better



70 financial strength as the transferring insurer. The policy  
71 transfer must be selected on a nondiscriminatory basis.

72 (b) "Substantially similar" means a policy that  
73 provides the same basic coverages but may add, alter or eliminate  
74 incidental coverages and may provide coverages using different  
75 textual language.

76 **[From and after July 1, 2026, this section shall read as**  
77 **follows:]**

78 83-5-28. (1) A renewal, cancellation, reduction in coverage  
79 or nonrenewal of liability insurance coverage, fire insurance  
80 coverage or single premium multiperil insurance coverage is not  
81 effective as to any coverage issued or renewed after July 1, 2026,  
82 unless notice is mailed or delivered to the insured and to any  
83 named creditor loss payee by the insurer not less than forty-five  
84 (45) days prior to the effective date of such cancellation,  
85 reduction or nonrenewal. This section shall not apply to  
86 nonpayment of premium unless there is a named creditor loss payee,  
87 in which case at least ten (10) days' notice is required. The  
88 notice requirements of this section shall not apply when a  
89 replacement policy form is issued by the same insurer or when a  
90 transfer of an insured to a licensed affiliate of the insurer  
91 occurs, so long as the replacement of policy forms or transfer  
92 results in the same or substantially similar coverage and the  
93 insurer mails or delivers to the insured at least forty-five (45)



94 days prior to the renewal effective date notice of any term or  
95 condition that is less favorable to the policyholder.

96 (2) The provisions of subsection (1) shall be incorporated  
97 into each liability, fire and multiperil policy issued or renewed  
98 on or after July 1, 2026; and if such provisions are not expressly  
99 stated in the policy, such provisions shall be deemed to be  
100 incorporated in the policy.

101 (3) Whenever a replacement policy form is issued by the same  
102 insurer or when transfer of an insured to a licensed affiliate  
103 occurs, documents signed by the insured are applicable to the  
104 replacement policy form, the coverage transferred to a licensed  
105 affiliate insurer, or both, and remain valid and enforceable.

106 (4) A transferring insurer shall notify the Mississippi  
107 Insurance Department at least forty-five (45) days in advance of  
108 notifying a policyholder that its personal or commercial lines  
109 insurance policies will be transferred to another licensed insurer  
110 within the same insurance group or same holding company. The  
111 notice shall include the name of insurer transferring the personal  
112 or commercial lines policies and the name and financial rating of  
113 the insurer receiving the transferred personal or commercial lines  
114 policies.

115 (5) A transferring insurer shall provide the policyholder  
116 written notice of the policy transfer at least forty-five (45)  
117 days prior to expiration of the policy term and shall include the  
118 financial rating of the insurer receiving the transferred policy.



119 Such notice must be provided to the policyholder with the notice  
120 of renewal premium at least forty-five (45) days before the  
121 effective date of the transfer.

122 (6) If the insurer fails to meet the notice requirement of  
123 this section, the named insured has the option of continuing the  
124 policy or contract for the remainder of the notice period plus an  
125 additional forty-five (45) days at the premium rate of the  
126 existing policy or contract. Such option shall continue in  
127 forty-five (45) day increments until the insurer provides the  
128 notice required in this section.

129 (7) As used in this section:

130 (a) "Affiliate transfer" is when an insurer transfers,  
131 at renewal or policy expiration, its personal or commercial lines  
132 insurance policies to an affiliated licensed insurer that is a  
133 member of the same insurance group or same holding company as the  
134 transferring insurer. The issuance of a replacement policy form  
135 providing the same or substantially similar coverage issued by the  
136 same insurer, or the transfer of personal or commercial insurance  
137 policies to a licensed affiliate insurer that will issue the same  
138 or substantially similar policy, are considered a renewal and will  
139 not be treated as a cancellation or nonrenewal. The affiliate  
140 transfer must be to a licensed affiliate insurer that has been  
141 determined by the commissioner to have the same or better  
142 financial strength as the transferring insurer. The policy  
143 transfer must be selected on a nondiscriminatory basis.



144                   (b) "Substantially similar" means a policy that  
145 provides the same basic coverages but may add, alter or eliminate  
146 incidental coverages and may provide coverages using different  
147 textual language.

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

