

By: Senator(s) Seymour

To: Insurance

SENATE BILL NO. 2417

1 AN ACT TO PROVIDE THAT FOR ANY INSURANCE POLICY THAT FALLS
2 WITHIN THE JURISDICTION OF THE STATE INSURANCE DEPARTMENT UNDER
3 TITLE 83, MISSISSIPPI CODE OF 1972, WHEN AN INSURER CANCELS A
4 POLICY FOR NONPAYMENT OF PREMIUMS BUT THE INSURER MAILED A NOTICE
5 OF CANCELLATION FOR NONPAYMENT OF PREMIUMS TO A DIFFERENT ADDRESS
6 THAN THE ADDRESS SHOWN IN THE POLICY RESULTING IN THE NAMED
7 INSURED FAILING TO RECEIVE PROPER NOTICE FROM THE INSURER, THE
8 INSURED SHALL HAVE THE OPPORTUNITY TO PAY THE PAST-DUE PREMIUMS
9 FOR THE POLICY; TO PROVIDE THAT IF THE INSURED PAYS THE PAST-DUE
10 PREMIUMS ON THE POLICY, THE POLICY SHALL BE REINSTATED, AND THE
11 ORIGINAL TERMS OF THE POLICY SHALL BE BINDING; TO AMEND SECTION
12 83-11-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF
13 THE ACT; TO BRING FORWARD SECTION 83-11-9, MISSISSIPPI CODE OF
14 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED
15 PURPOSES.

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

17 **SECTION 1.** (1) For any insurance policy that falls within
18 the jurisdiction of the State Insurance Department under Title 83,
19 Mississippi Code of 1972, no notice of cancellation of a policy
20 shall be effective unless mailed or delivered by the insurer to
21 the named insured and to any named creditor loss payee, as
22 applicable, at least thirty (30) days prior to the effective date
23 of cancellation; provided, however, that where cancellation is for
24 nonpayment of premium at least ten (10) days' notice of



cancellation accompanied by the reason therefor shall be given.
Unless the reason accompanies or is included in the notice of
cancellation, the notice of cancellation shall state or be
accompanied by a statement that upon written request of the named
insured, mailed or delivered to the insurer not less than fifteen
(15) days prior to the effective date of cancellation, the insurer
will specify the reason for such cancellation.

(2) When an insurer cancels a policy for nonpayment of
premiums but the insurer mailed a notice of cancellation for
nonpayment of premiums to a different address than the address
shown in the policy resulting in the named insured failing to
receive proper notice from the insurer, the insured shall have the
opportunity to pay the past-due premiums for the policy. If the
insured pays the past-due premiums on the policy, the policy shall
be reinstated, and the original terms of the policy shall be
binding.

SECTION 2. Section 83-11-5, Mississippi Code of 1972, is
amended as follows:

83-11-5. (1) No notice of cancellation of a policy to which
Section 83-11-3 applies shall be effective unless mailed or
delivered by the insurer to the named insured and to any named
creditor loss payee at least thirty (30) days prior to the
effective date of cancellation; provided, however, that where
cancellation is for nonpayment of premium at least ten (10) days'
notice of cancellation accompanied by the reason therefor shall be



50 given. Unless the reason accompanies or is included in the notice
51 of cancellation, the notice of cancellation shall state or be
52 accompanied by a statement that upon written request of the named
53 insured, mailed or delivered to the insurer not less than fifteen
54 (15) days prior to the effective date of cancellation, the insurer
55 will specify the reason for such cancellation.

56 This section shall not apply to nonrenewal unless there is a
57 named creditor loss payee.

58 (2) When an insurer cancels a policy for nonpayment of
59 premiums but the insurer mailed a notice of cancellation for
60 nonpayment of premiums to a different address than the address
61 shown in the policy resulting in the named insured failing to
62 receive proper notice from the insurer, the insured shall have the
63 opportunity to pay the past-due premiums for the policy. If the
64 insured pays the past-due premiums on the policy, the policy shall
65 be reinstated, and the original terms of the policy shall be
66 binding.

67 **SECTION 3.** Section 83-11-9, Mississippi Code of 1972, is
68 brought forward as follows:

69 83-11-9. Proof of mailing of notice of cancellation, or of
70 intention not to renew, or of reasons for cancellation to the
71 named insured by a certificate of mailing, at the address shown in
72 the policy, shall be sufficient proof of notice.

73 **SECTION 4.** This act shall take effect and be in force from
74 and after July 1, 2025.

