

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



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

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

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

43 83-11-5. (1) No notice of cancellation of a policy to which  
44 Section 83-11-3 applies shall be effective unless mailed or  
45 delivered by the insurer to the named insured and to any named  
46 creditor loss payee at least thirty (30) days prior to the  
47 effective date of cancellation; provided, however, that where  
48 cancellation is for nonpayment of premium at least ten (10) days'  
49 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.

