

Senate Bill No. 335

CHAPTER 97

An act to amend Section 10082.5 of the Insurance Code, relating to earthquake insurance.

[Approved by Governor July 15, 2015. Filed with
Secretary of State July 15, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 335, Roth. Earthquake insurance.

Existing law prohibits an insurer who charges an additional earthquake insurance premium or deductible because a dwelling fails to meet certain building requirements relating to earthquake bracing from charging the additional premium or deductible if the dwelling is brought into compliance with those requirements, as specified. Existing law requires a copy of the approved inspection record for the building permit for work performed to bring the dwelling into compliance to be submitted by the insured to the insurer in order to verify that the retrofits have been performed.

This bill would require the additional premium or deductible paid to be refunded to the insured and prorated as of the date the approved inspection record is received by the insurer. The bill would also make technical, nonsubstantive changes by deleting obsolete portions of those provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 10082.5 of the Insurance Code is amended to read:

10082.5. (a) If an insurer subject to this chapter charges an additional earthquake insurance premium or deductible because a dwelling fails to comply with paragraph (1), (2), or (3) and the dwelling is subsequently brought into compliance with any one of these paragraphs, then the additional premium or deductible attributed to noncompliance shall not be charged.

(1) Compliance with Section 19215 of the Health and Safety Code for the bracing, anchoring, or strapping all water heaters to resist falling or horizontal displacement due to earthquake motion.

(2) Compliance with the foundation anchor bolt requirements of the 2007 edition of the California Building Standards Code as specified in Title 24 of the California Code of Regulations, or a successor edition of that code, or with any local government modifications to those requirements.

(3) Compliance with the bracing requirements for cripple walls of the 2007 edition of the California Building Standards Code as specified in Title 24 of the California Code of Regulations, or a successor edition of that code, or with any local government modifications to those requirements.

(b) A copy of the approved inspection record for the building permit for work performed pursuant to this section shall be submitted by the insured to the insurer in order to verify that retrofits performed pursuant to this section have been performed. The additional premium or deductible paid shall be refunded to the insured and prorated as of the date the approved inspection record is received by the insurer.