

Introduced by Senator RothFebruary 2, 2016

An act to amend Section 12921.3 of the Insurance Code, relating to insurance.

LEGISLATIVE COUNSEL'S DIGEST

SB 934, as introduced, Roth. Insurance: complaints.

Existing law requires the Insurance Commissioner to receive complaints and inquiries, investigate complaints, and prosecute insurers or production agencies, among other duties as specified.

This bill would make a technical, nonsubstantive change to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

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

1 SECTION 1. Section 12921.3 of the Insurance Code is
2 amended to read:
3 12921.3. (a) The commissioner, in person or through
4 employees of the department, shall receive complaints and
5 inquiries, investigate complaints, prosecute insurers or production
6 agencies when appropriate and according to guidelines determined
7 pursuant to Section 12921.1, and respond to complaints and
8 inquiries by members of the public concerning the handling of
9 insurance claims, including, but not limited to, violations of Article
10 10 (commencing with Section ~~1861~~ 1861.01) of Chapter 9 of Part
11 2 of Division 1, by insurers or production agencies, or alleged
12 misconduct by insurers or production agencies.

- 1 (b) The commissioner shall not decline to investigate complaints
2 for any of the following reasons:
- 3 (1) The insured is represented by an attorney in a dispute with
4 an insurer, or is in mediation or arbitration.
- 5 (2) The insured has a civil action against an insurer.
- 6 (3) The complaint is from an attorney, if the complaint is based
7 upon evidence or reasonable beliefs about violations of law known
8 to an attorney because of a civil action.
- 9 (c) The commissioner may defer the investigation until the
10 finality of a dispute, mediation, arbitration, or civil action involving
11 the claim is known.
- 12 (d) The commissioner, as he or she deems appropriate, and
13 pursuant to Section 12921.1, shall provide for the education of,
14 and dissemination of information to, members of the general public
15 or licensees of the department concerning insurance matters.