

Connecticut General Statutes Annotated
Title 38a. Insurance (Refs & Annos)
Chapter 700. Property and Casualty Insurance
Part I. In General

C.G.S.A. § 38a-313a

§ 38a-313a. Notice to insured and contract or document re repair,
remediation or mitigation work under a personal or commercial risk policy

Effective: January 1, 2017

[Currentness](#)

(a) (1) Prior to commencing any repair, remediation or mitigation pursuant to a loss occurring on or after January 1, 2017, under a personal risk insurance policy, as defined in [section 38a-663](#), or a commercial risk policy, as defined in [section 38a-663](#), the person who will perform the repair, remediation or mitigation shall:

(A) Provide an insured with a written notice that indicates the scope of the work to be completed and the estimated total price. Such notice shall not be required for any repair of an automobile that is subject to this chapter;

(B) Include, in any contract or document in connection with such repair, remediation or mitigation that authorizes an insurer to make a payment directly to the person performing such repair, remediation or mitigation, a provision that discloses to the signatory, in not less than twelve-point type immediately above the signature line, that the insured has the right to be named as a joint payee on the payment instrument; and

(C) Include, in any contract or document in connection with such repair, remediation or mitigation, if (i) such contract or document is subject to chapter 740, and (ii) such repair, remediation or mitigation is to be performed to meet a bona fide immediate personal emergency of the insured, a provision that discloses that the insured may waive the right to cancel within three business days pursuant to chapter 740¹ by providing to the person performing the repair, remediation or mitigation a separate dated and signed personal statement in the insured's handwriting describing the bona fide personal emergency requiring immediate remedy and expressly acknowledging and waiving the right to cancel within three business days.

(2) No such contract or document shall include any provision that creates a power of attorney or waives the signatory's or insured's legal rights against the person performing such repair, remediation or mitigation.

(b) If the person performing the repair, remediation or mitigation or a contract or document in connection with such repair, remediation or mitigation fails to comply with the requirements set forth in subsection (a) of this section, any contract between such person and such insured for, or document in connection with, such repair, remediation or mitigation shall be void.

(c) As used in this section, "remediation" includes, but is not limited to, cleaning services.

Credits

(2004, P.A. 04-108, § 1; 2011, P.A. 11-106, § 1; 2012, P.A. 12-162, § 2, eff. July 1, 2012; 2013, P.A. 13-148, § 2; 2016, P.A. 16-35, § 2, eff. Jan. 1, 2017.)

Footnotes

1 C.G.S.A. § 42-134 et seq.

C. G. S. A. § 38a-313a, CT ST § 38a-313a

The statutes and Constitution are current with enactments of Public Act 20-1.

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