

## **IC 27-1-42**

### **Chapter 42. Certificates of Insurance**

#### **IC 27-1-42-1**

##### **Application of chapter**

Sec. 1. This chapter applies to a certificate of insurance that is issued in connection with a contract related to property, operations, or risks located in Indiana, regardless of the location of the policyholder, insurer, insurance producer, or person that requests or requires the issuance of the certificate of insurance.

*As added by P.L.70-2013, SEC.1.*

#### **IC 27-1-42-2**

##### **"Certificate of insurance"**

Sec. 2. (a) As used in this chapter, "certificate of insurance" means a document prepared by an insurer or insurance producer as evidence of property or casualty insurance coverage.

(b) The term does not include a policy of insurance, an insurance binder, a policy endorsement, or a motor vehicle insurance identification or information card.

*As added by P.L.70-2013, SEC.1.*

#### **IC 27-1-42-3**

##### **"Commissioner"**

Sec. 3. As used in this chapter, "commissioner" refers to the insurance commissioner appointed under IC 27-1-1-2.

*As added by P.L.70-2013, SEC.1.*

#### **IC 27-1-42-4**

##### **"Department"**

Sec. 4. As used in this chapter, "department" refers to the department of insurance created by IC 27-1-1-1.

*As added by P.L.70-2013, SEC.1.*

#### **IC 27-1-42-5**

##### **"Insurance producer"**

Sec. 5. As used in this chapter, "insurance producer" has the meaning set forth in IC 27-1-15.6-2.

*As added by P.L.70-2013, SEC.1.*

#### **IC 27-1-42-6**

##### **"Insurer"**

Sec. 6. As used in this chapter, "insurer" refers to an insurer (as defined in IC 27-1-2-3) that issues a policy of property or casualty insurance.

*As added by P.L.70-2013, SEC.1.*

#### **IC 27-1-42-7**

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##### **"Person"**

Sec. 7. As used in this chapter, "person" has the meaning set forth in IC 27-1-2-3.

*As added by P.L.70-2013, SEC.1.*

#### **IC 27-1-42-8**

##### **"Property or casualty insurance"**

Sec. 8. As used in this chapter, "property or casualty insurance" means one (1) or more of the kinds of insurance described in Class 2 and Class 3 of IC 27-1-5-1.

*As added by P.L.70-2013, SEC.1.*

**IC 27-1-42-9**

**Unfair or deceptive acts**

Sec. 9. (a) The use of a certificate of insurance form that:

- (1) is unfair, misleading, or deceptive; or
- (2) violates any law;

is an unfair and deceptive act or practice in the business of insurance under IC 27-4-1-4.

(b) If:

- (1) the commissioner has reason to believe that a certificate of insurance form is described in subsection (a)(1) or (a)(2); and
- (2) the certificate of insurance form was provided by a financial institution;

the commissioner may refer the matter to the department of financial institutions for review under IC 28.

*As added by P.L.70-2013, SEC.1.*

**IC 27-1-42-10**

**Limits of certificate of insurance**

Sec. 10. A certificate of insurance does not:

- (1) amend, extend, or alter the coverage provided under; or
- (2) confer to a person any rights in addition to the rights expressly provided in;

the policy of property or casualty insurance to which the certificate of insurance refers.

*As added by P.L.70-2013, SEC.1.*

**IC 27-1-42-11**

**Preparation of certificate of insurance**

Sec. 11. A person may not prepare or issue, or request or require the issuance of, a certificate of insurance that:

- (1) contains false or misleading information concerning; or
- (2) alters, amends, or extends the coverage provided by;

the policy of property or casualty insurance to which the certificate of insurance refers.

*As added by P.L.70-2013, SEC.1.*

**IC 27-1-42-12**

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**Not a warranty**

Sec. 12. (a) A certificate of insurance must not contain a warranty that the policy of property or casualty insurance to which the certificate of insurance refers complies with the insurance or indemnification requirements of a contract.

(b) The inclusion of a contract number or contract description in a certificate of insurance does not warrant that the policy of property or casualty insurance to which the certificate of insurance refers complies with the insurance or indemnification requirements of the contract.

*As added by P.L.70-2013, SEC.1.*

**IC 27-1-42-13**

**Notice rights are under policy**

Sec. 13. (a) A person is not entitled to notice of:

- (1) cancellation of;

(2) nonrenewal of; or  
(3) a material change in;  
a policy of property or casualty insurance unless the person has notice rights under the terms of the policy of property or casualty insurance or an endorsement to the policy.

(b) The terms and conditions of notice described in subsection (a) are governed by the policy of property or casualty insurance or an endorsement to the policy and are not altered by a certificate of insurance.

*As added by P.L.70-2013, SEC.1.*

#### **IC 27-1-42-14**

##### **Violations of chapter**

Sec. 14. A certificate of insurance or any other document that is prepared, issued, requested, or required in violation of this chapter is void.

*As added by P.L.70-2013, SEC.1.*

#### **IC 27-1-42-15**

##### **Examinations and penalties**

Sec. 15. (a) The commissioner may examine and investigate the activities of a person that the commissioner reasonably believes has violated this chapter.

(b) The commissioner may issue a cease and desist order or impose a civil penalty of not more than one thousand dollars (\$1,000) for each violation of this chapter.

*As added by P.L.70-2013, SEC.1.*

#### **IC 27-1-42-16**

##### **Rulemaking**

Sec. 16. The department may adopt rules under IC 4-22-2 to implement this chapter.

*As added by P.L.70-2013, SEC.1.*

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