

Larrie Ann Brown, Attorney at Law
800 SW 8th Street, Suite 808
Topeka, KS. 66612
larrieannbrown@gmail.com
785-640-2747

Testimony on behalf of
The American Property Casualty Insurance Association
Supporting written testimony for SB 323 to the Senate FI&I Committee

Thank you, Mr. Chairman and members of the Committee. I am Larrie Ann Brown here today on behalf of The American Property Casualty Insurance Association (APCIA). We are here to provide written comments in support of SB323 as introduced and are opposed to the inclusion of the balloon amendment.

Representing nearly 60 percent of the U.S. property casualty insurance market, the American Property Casualty Insurance Association (APCIA) promotes and protects the viability of private competition for the benefit of consumers and insurers. APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association. In Kansas, our members write 55% of the auto market.

APCIA supports SB323 as introduced. We fully support reducing litigation exposure and confusion surrounding what is "similar" coverage.

However, we oppose the balloon amendment. Our concern with the balloon amendment is that it establishes a new standard which may be used against insurers. That language may lead to litigation asserting the insurer's explanation related to the differences in the policy forms was not adequate and therefore the new policy terms or conditions are not enforceable.

If the balloon amendment were to be adopted, we would support American Family's proposed amendment to include language clarifying that the Insurance Department shall have the sole authority to enforce the provisions of the act.

Thank you for consideration of our comments.

2/19/20
#6