

House File 489

S-3253

1 Amend House File 489, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, before line 1 by inserting:
4 <Section 1. Section 123.92, subsection 2, Code
5 2013, is amended to read as follows:

6 2. a. Every liquor control licensee and class
7 "B" beer permittee, except a class "E" liquor
8 control licensee, shall furnish proof of financial
9 responsibility by the existence of a liability
10 insurance policy in an amount determined by the
11 division. If an insurer provides dramshop liability
12 insurance at a new location to a licensee or permittee
13 who has a positive loss experience at other locations
14 for which such insurance is provided by the insurer,
15 and the insurer bases premium rates at the new location
16 on the negative loss history of the previous licensee
17 or permittee at that location, the insurer shall
18 examine and consider adjusting the premium for the
19 new location not less than thirty months after the
20 insurance is issued, based on the loss experience of
21 the licensee or permittee at that location during that
22 thirty-month period of time.

23 b. A dramshop liability insurance policy may be
24 written on an aggregate limit basis.

25 c. The purpose of dramshop liability insurance
26 is to provide protection for members of the public
27 who experience damages as a result of licensees or
28 permittees serving patrons beer, wine, or intoxicating
29 liquor to a point that reaches or exceeds the standard
30 set forth in law for liability. Minimum coverage
31 requirements for such insurance are not for the purpose
32 of making the insurance affordable for all licensees or
33 permittees regardless of claims experience. A dramshop
34 liability insurance policy obtained by a licensee or
35 permittee shall meet the minimum insurance coverage
36 requirements as determined by the division and is a
37 mandatory condition for holding a license or permit.>

38 2. Title page, line 1, by striking <under the
39 purview of> and inserting <involving insurance and>

MATT McCOY