

SPONSOR: Sen. Simpson

DELAWARE STATE SENATE
145th GENERAL ASSEMBLY

SENATE BILL NO.

AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO NOTICES OF
CANCELLATION AND NON-RENEWAL OF CONTRACTS FOR INSURANCE

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Chapter 27, Title 18, Delaware Code, by adding a new §2742-Proof of
2 Notice of Termination or Non-renewal” to read as follows:

3 “(a) No cancellation or non-renewal of a policy for insurance shall be effective unless said
4 notice is delivered to the named insured at least 30 days in advance of the effective date of said
5 cancellation or non-renewal, except for cancellation for non-payment of premium, notice of which
6 shall be delivered at least ten days prior to the effective date.

7 (b) Delivery of said notice shall be by regular mail to the address of record for the insured and
8 by either certified mail, personal service, including private package service, or by e-mail if the
9 insured has authorized e-mail notifications.

10 (c) An insurer shall not effectuate the cancellation or non-renewal of any policy until it has
11 proof of delivery of the notice of cancellation or non-renewal.

12 (d) Proof of delivery shall include, but not be limited to: certified delivery receipt private
13 package delivery receipt, e-mail receipt, and acknowledgement of receipt by the insured.”

14 Section 2. The provisions of this Act shall supersede notification requirements in Title 18 §§
15 3903, 3905, and 4122.

SYNOPSIS

This Act details requirements relative to notification and proof of service of cancellations and non-renewals of all insurance contracts and annuity contracts within the jurisdiction of the Department of Insurance other than Reinsurance and Wet Marine and transportation insurance.