

# MAINE STATE LEGISLATURE

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R.S.

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Majority

INSURANCE AND FINANCIAL SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 614, L.D. 896, Bill, "An Act To Ensure Adequate Insurance Coverage for Family Child Care Providers"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 24-A MRSA §3060 is enacted to read:

§3060. Insurance coverage for family child care providers

1. Evidence of business liability insurance. An insurer may not refuse to issue or renew a policy covering the primary residence of a family child care provider certified under Title 22, section 8301-A, subsection 3 or cancel such policy within the first 90 days of coverage unless the denial of coverage or cancellation is based solely on underwriting factors other than the presence of a family child care business on the premises if the family child care provider has demonstrated satisfactory evidence that the child care business is covered by separate insurance coverage for business liability, including medical payments coverage equivalent to coverage in the policy. For purposes of cancellation or nonrenewal under section 3049 or 3051, an insurer may not treat the presence of the family child care business activity as a factor related to the insurability of the primary residence of a family child care provider certified under Title 22, section 8301-A, subsection 3 if the family child care provider has demonstrated satisfactory evidence that the child care business is covered by separate insurance coverage for business liability in accordance with this subsection.

2. No liability under property insurance policy. An insurer has no duty to defend or indemnify a family child care provider certified under Title 22, section 8301-A, subsection 3 under a policy covering the primary residence of a family child care provider issued by the insurer if:

A. The loss or damage for which the family child care provider is liable or alleged to be liable arises in whole or in part from the family child care business activity;

B. The policy issued by the insurer expressly excludes that loss or damage arising from the family child care business activity;

COMMITTEE AMENDMENT





# 124th MAINE LEGISLATURE

LD 896

LR 1393(02)

**An Act To Ensure Adequate Insurance Coverage for Family Child Care Providers**

**Fiscal Note for Bill as Amended by Committee Amendment "A"**

**Committee: Insurance and Financial Services**

**Fiscal Note Required: No**

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## Fiscal Note

No fiscal impact