

ASSEMBLY BILL NO. 475—COMMITTEE ON COMMERCE AND LABOR

MARCH 11, 1999

Referred to Committee on Commerce and Labor

SUMMARY—Provides that determination of whether misrepresentation by insured concerning claim is material is matter of law. (BDR 57-1299)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to insurance; providing that the materiality of certain acts and omissions of an insured concerning a claim must be determined by the court as a matter of law; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 686A of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 *In any civil or criminal proceeding before a court, the issue of the*
4 *materiality of a misrepresentation, omission, concealment of fact or*
5 *incorrect statement by an insured concerning a claim must be determined*
6 *by the court as a matter of law.*
7 **Sec. 2.** This act becomes effective upon passage and approval.

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