

[First Reprint]
SENATE, No. 1374

STATE OF NEW JERSEY

INTRODUCED JUNE 24, 1996

By Senators INVERSO and SCOTT

1 AN ACT allowing certain senior citizens to designate third parties to
2 receive certain notices and supplementing chapter 29 of Title 17,
3 chapter 3 of Title 48 and chapter 4 of Title 54 of the Revised
4 Statutes.

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6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

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9 1. For purposes of sections 1 and 2 of this act:

10 "Commissioner" means the Commissioner of Banking and¹
11 Insurance.

12 "Insurer" means:

13 a. A corporation, association, partnership, reciprocal exchange,
14 interinsurer, Lloyd's insurer, fraternal benefit society or other person
15 engaged in the business of insurance pursuant to Subtitle 3 of Title 17
16 of the Revised Statutes or Subtitle 3 of Title 17B of the New Jersey
17 Statutes;

18 b. A medical service corporation operating pursuant to P.L.1940,
19 c.74 (C.17:48A-1 et seq.);

20 c. A hospital service corporation operating pursuant to P.L.1938,
21 c.366 (C.17:48-1 et seq.);

22 d. A health service corporation operating pursuant to P.L.1985,
23 c.236 (C.17:48E-1 et seq.);

24 e. A health maintenance organization authorized to operate in this
25 State pursuant to P.L.1973, c.337 (C.26:2J-1 et seq.);

26 f. An insurance plan operating pursuant to P.L.1970, c.215
27 (C.17:29D-1); and

28 g. The New Jersey Insurance Underwriting Association operating
29 pursuant to P.L.1968, c.129 (C.17:37A-1 et seq.).

30 "Policy of personal lines insurance" means any policy or contract of
31 insurance issued or issued for delivery in this State for personal, family

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SSV committee amendments adopted September 19, 1996.

1 or household purposes, as determined by the commissioner, by an
2 insurer on a risk located or resident in this State for which the
3 premiums are paid directly to the insurer by the senior citizen insured.

4 "Senior citizen" means a person who is at least 62 years of age.

5 "Senior citizen insured" means a named insured pursuant to a policy
6 of personal lines insurance who is a senior citizen.

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8 2. Every insurer shall permit its senior citizen insureds to designate
9 a third party to whom the insurer shall transmit a copy of notices of
10 cancellation, nonrenewal and conditional renewal. The senior citizen
11 insured shall notify the insurer that a third party has been so
12 designated. Such notification shall be delivered to the insurer by
13 certified mail, return receipt requested, and shall be effective not later
14 than 10 business days from the date of receipt by the insurer. The
15 notification shall contain, in writing, an acceptance by the third party
16 designee to receive copies of notices of cancellation, nonrenewal and
17 conditional renewal from the insurer. If the third party designee
18 desires to terminate the status as a third party designee, the designee
19 shall provide written notice to both the insurer and the senior citizen
20 insured. If the senior citizen insured desires to terminate the third
21 party designation, the insured shall provide written notice to the
22 insurer.

23 The transmission to the third party designee of a copy of any notice
24 of cancellation, nonrenewal or conditional renewal shall be in addition
25 to the original document transmitted to the senior citizen insured and
26 when a third party is so designated all such notices and copies shall be
27 mailed in an envelope clearly marked on its face with the following:
28 "IMPORTANT INSURANCE POLICY INFORMATION: OPEN
29 IMMEDIATELY". The copy of the notice of cancellation,
30 nonrenewal or conditional renewal transmitted to the third party shall
31 be governed by the same law and policy provisions which govern the
32 notice being transmitted to the senior citizen insured.

33 Designation as a third party shall not constitute acceptance of any
34 liability on the part of the third party for services provided to the
35 senior citizen insured, or on the part of the insurer.

36 The insurer shall notify its senior citizen insureds annually in
37 writing, except in cases in which the age of the senior citizen insured
38 is unknown to the insurer, of the availability of the third party designee
39 notice procedures and provide information on how the insured can
40 commence this procedure, except that notice need not be provided
41 once a senior citizen insured has made a designation. An insurer may
42 provide this required annual notice to its senior citizen insureds in any
43 manner that it determines.

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45 3. Every public utility shall permit a senior citizen who receives
46 service to designate a third party to whom the public utility shall

1 transmit a copy of the public utility bill. The senior citizen shall notify
2 the public utility that a third party has been so designated. Such
3 notification shall be delivered to the public utility by certified mail,
4 return receipt requested, and shall be effective not later than 10
5 business days from the date of receipt by the public utility. The
6 notification shall contain, in writing, an acceptance by the third party
7 designee to receive copies of the senior citizen's public utility bills and
8 any notices of ¹[delinquent] delinquent¹ payment or termination of
9 services of the senior citizen's utilities. If the third party designee
10 desires to terminate the status as a third party designee, the designee
11 shall provide written notice to both the public utility and the senior
12 citizen. If the senior citizen desires to terminate the third party
13 designation, the senior citizen shall provide written notice to the public
14 utility.

15 The transmission to the third party designee of a copy of the public
16 utility bill, ¹[delinquent] delinquent¹ payment notice, or termination of
17 service notice shall be in addition to the original document transmitted
18 to the senior citizen ¹[and when a third party is so designated all such
19 notices and copies shall be mailed in an envelope clearly marked on its
20 face with the following: "IMPORTANT PUBLIC UTILITY
21 SERVICE INFORMATION: OPEN IMMEDIATELY"]¹. The copy
22 of the public utility bill, delinquent payment notice, or termination of
23 service notice transmitted to the third party shall be governed by the
24 same law and policy provisions which govern the notice being
25 transmitted to the senior citizen.

26 Designation as a third party shall not constitute acceptance of any
27 liability on the part of the third party for payment of the public utility
28 bill, or on the part of the public utility.

29 The public utility shall notify its senior citizen customers annually
30 in writing, except in cases in which the age of the senior citizen is
31 unknown to the public utility, of the availability of the third party
32 designee notice procedures and provide information on how the senior
33 citizen can commence this procedure, except that notice need not be
34 provided once a senior citizen has made a designation. A public utility
35 may provide this required annual notice to its senior citizen customers
36 in any manner that it determines.

37 For the purposes of this section, "senior citizen" means a person
38 who is at least 62 years of age.

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40 4. Every municipal tax collector shall permit a senior citizen
41 residential property taxpayer to designate a third party to whom the
42 municipal tax collector shall transmit a copy of the annual property
43 tax bill. The senior citizen residential property taxpayer shall notify
44 the municipal tax collector that a third party has been so designated.
45 Such notification shall be delivered to the municipal tax collector by
46 certified mail, return receipt requested, and shall be effective not later

1 than 10 business days from the date of receipt by the municipal tax
2 collector. The notification shall contain, in writing, an acceptance by
3 the third party designee to receive copies of the senior citizen
4 residential taxpayer's annual tax bill and any notices of ¹[delinquent]
5 delinquent¹ payment of the senior citizen's property tax. If the third
6 party designee desires to terminate the status as a third party designee,
7 the designee shall provide written notice to both the municipal tax
8 collector and the senior citizen residential property taxpayer. If the
9 senior citizen residential property taxpayer desires to terminate the
10 third party designation, the senior citizen residential property taxpayer
11 shall provide written notice to the municipal tax collector.

12 The transmission to the third party designee of a copy of the
13 municipal tax bill or delinquency tax notice shall be in addition to the
14 original document transmitted to the senior citizen residential property
15 taxpayer and when a third party is so designated all such notices and
16 copies shall be mailed in an envelope clearly marked on its face with
17 the following: "IMPORTANT PROPERTY TAX INFORMATION:
18 OPEN IMMEDIATELY". The copy of the property tax bill or
19 delinquency tax notice transmitted to the third party shall be governed
20 by the same law and policy provisions which govern the notice being
21 transmitted to the senior citizen residential property taxpayer.

22 Designation as a third party shall not constitute acceptance of any
23 liability on the part of the third party for payment of the residential
24 property tax bill, nor on the part of the municipal tax collector.

25 The municipal tax collector shall notify its senior citizen residential
26 property taxpayers annually in writing, except in cases in which the
27 age of the senior citizen residential property taxpayer is unknown to
28 the municipal tax collector, of the availability of the third party
29 designee notice procedures and provide information on how the senior
30 citizen residential property taxpayer can commence this procedure,
31 except that notice need not be provided once a senior citizen
32 residential property taxpayer has made a designation. A municipal tax
33 collector may provide this required annual notice to its senior citizen
34 residential property taxpayers in any manner that it determines.

35 For the purposes of this section, "senior citizen residential property
36 taxpayer" means ¹a resident of this State who is¹ the owner of a
37 property who resides in that property and who is at least 62 years of
38 age.

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40 5. This act shall take effect on the 120th day following enactment.

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45 Allows senior citizens to designate third parties to receive certain
46 insurance, public utility and residential property tax bills.