
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 505 Session of
2023

INTRODUCED BY GUENST, SANCHEZ, CERRATO, MADDEN, CIRESI, HILL-
EVANS, HOHENSTEIN, PARKER, KIM, DELLOSO, FREEMAN, N. NELSON
AND KHAN, MARCH 17, 2023

REFERRED TO COMMITTEE ON INSURANCE, MARCH 17, 2023

AN ACT

1 Providing for fair assistance insurance responsibility, for
2 investigations occurring from a disaster and for
3 applicability.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Fair
8 Assistance Insurance Responsibility (FAIR) Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Department." The Insurance Department of the Commonwealth.

14 "Disaster." Any of the following:

15 (1) A natural catastrophe, regardless of cause, a fire,
16 flood or explosion, in any part of the United States that, in
17 the determination of the President of the United States,
18 causes damage of sufficient severity and magnitude to warrant

1 assistance under 42 U.S.C. Ch. 68 (relating to disaster
2 relief) to supplement the efforts and available resources of
3 States, local governments and disaster relief organizations
4 in alleviating the damage, loss, hardship or suffering.

5 (2) A hurricane, tornado, storm, flood, high water,
6 wind-driven water, tidal wave, earthquake, landslide,
7 mudslide, snowstorm, drought, fire, explosion or other
8 catastrophe resulting in substantial property damage,
9 hardship, suffering or possible loss of life and results in
10 the Governor requesting that the President of the United
11 States declare a major disaster declaration or emergency
12 declaration as warranted under 42 U.S.C. Ch. 68.

13 "Insurer." An entity licensed or authorized to conduct the
14 business of insurance that is governed under the act of May 17,
15 1921 (P.L.628, No.284), known as The Insurance Company Law of
16 1921.

17 "Investigation." As defined under 31 Pa. Code § 146.2
18 (relating to definitions).

19 Section 3. Investigations occurring from a disaster.

20 The following apply:

21 (1) When a policyholder files a homeowners' insurance
22 claim for damages arising from a disaster, the policyholder
23 must inform the insurer of the contact information for either
24 the policyholder or the policyholder's designated point of
25 contact.

26 (2) Upon receipt of the claim, an insurer shall notify a
27 policyholder of:

28 (i) The consumer complaint process for
29 unsatisfactory service and regulatory violations provided
30 by the department.

1 (ii) Information concerning how to access the
2 complaint process.

3 (3) The notification under paragraph (2) must occur
4 within 10 business days.

5 (4) An extension afforded to an insurer for a claim
6 investigation is null and void when responding to a
7 homeowners' insurance claim for damages arising from a
8 disaster.

9 Section 4. Applicability.

10 This act applies to the claims filed on or after the
11 effective date of this section.

12 Section 5. Effective date.

13 This act shall take effect in 60 days.