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Frequently Asked Questions:

Senate Bill 103 – Prohibition on Adverse Actions by Property Insurers on the Basis of Dog Breed

Senate Bill 103 was enacted during the 2021 Legislative Session and approved by Governor Steve Sisolak on June 2, 2021. The bill becomes effective on January 1, 2022. This document provides answers to frequently asked questions for insurers seeking to comply with the new law in a timely manner.

To which insurers does Senate Bill 103 apply?

Pursuant to Section 1, Subsection 4, Senate Bill 103 applies to insurers that issue any of the following types of policies in Nevada:

- (a) A policy of homeowner's insurance;
- (b) A policy of renter's insurance;
- (c) A policy of insurance which covers a manufactured home or a mobile home; and
- (d) An umbrella policy as defined in NRS 687B.440.¹

What are the implications of Senate Bill 103?

With the enactment of Senate Bill 103, insurers will no longer be able to use breed of a dog to refuse to issue; cancel; refuse to renew; or increase the premium or rate of a policy of insurance based on a specific breed of dog or mixture of breed of dogs. This bill becomes effective on January 1, 2022.

Insurers will have the ability to verify whether a specific dog has been determined to be dangerous or vicious pursuant to NRS 202.500.² If a specific dog is identified as being dangerous or vicious, only then can an insurer refuse to issue; cancel; refuse to renew; or increase the premium or rate of a policy of insurance.

¹ The text of NRS 687B.440 can be found at <https://www.leg.state.nv.us/NRS/NRS-687B.html#NRS687BSec440>.

² The text of NRS 202.500 can be found at <https://www.leg.state.nv.us/NRS/NRS-202.html#NRS202Sec500>.

Insurers are prohibited from asking or inquiring as to the breed of dog an insured or an insurance consumer may be harboring or own on an applicable property. An insurer may ask if a particular dog is known to be dangerous or vicious pursuant to NRS 202.500. Insurers also may not take any adverse actions described above simply because a dog is present on a property, without any evidence that the particular dog is known to be dangerous or vicious pursuant to NRS 202.500. Such adverse actions due to the mere presence of a dog would not be authorized by Subsection 2 of Section 1 of Senate Bill 103, which sets forth exceptions to the protections against adverse action in Subsection 1 only if a particular dog which is harbored or owned on an applicable property is known to be dangerous or vicious or has been declared to be dangerous or vicious in accordance with NRS 202.500.

What actions do insurers need to take to comply with Senate Bill 103?

The Division requests all companies issuing homeowner, renter, manufactured home, or umbrella policies having current language in the policy or rating plan that identifies dog breeds or the presence of a dog on the property, be refiled with new language that identifies policy changes that would have an impact on the treatment of an insured when a particular dog has been identified as having a history of being dangerous or vicious pursuant to NRS 202.500. The insurer also needs to clarify in its policy language or filed underwriting and/or rating rules, as applicable, whether and under what circumstances an insurer may refuse to issue; cancel; refuse to renew; or increase the premium or rate of a policy of insurance when a dangerous or vicious dog has been identified and is being harbored or owned on an applicable property. An insurer also has the option not to consider the presence of a dog on the property in any manner.

At what time do insurers need to come into compliance with Senate Bill 103?

As the effective date of the new law is January 1, 2022, all insurers currently writing policies of insurance based on a dog's breed should file new language to be approved prior to January 1, 2022. New filings submitted for review between the date of this document and December 31, 2021, will be requested to make the change within the relevant submitted Rate, Rule, or Form components.