

**304.44-030 Separate premium for insurance against loss by subsidence --
Reimbursement of living expenses of displaced owner.**

- (1) After July 15, 1984, every insurance policy issued or renewed insuring on a direct basis a structure located in a county or portion of a county in this state except for counties exempted pursuant to KRS 304.44-060 shall include, at a separately stated premium, insurance for loss occurring after July 15, 1984, caused by mine subsidence unless waived in writing by the insured. The premium charged for coverage shall be the same as the premium level set by the administrator. The loss coverage shall be the loss in excess of two percent (2%) of the policy's total insured value, but at no time shall the deductible be less than two hundred fifty dollars (\$250) nor more than five hundred dollars (\$500). The total insured value reinsured by the administrator shall not exceed three hundred thousand dollars (\$300,000) per structure. The insurer shall not be required to write a policy for mine subsidence coverage in excess of the amount reimbursable from the fund as authorized by this subtitle.
- (2) The coverage provided pursuant to subsection (1) of this section shall also include coverage up to twenty-five thousand dollars (\$25,000) for the additional living expenses reasonably and necessarily incurred by the owner of a residence who has been temporarily displaced as the direct result of damage to the residence caused by mine subsidence.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 94, sec. 1, effective July 15, 2010. -- Amended 1998 Ky. Acts ch. 483, sec. 31, effective July 15, 1998. -- Created 1984 Ky. Acts ch. 167, sec. 3, effective July 13, 1984.