

Michael Newman Discusses Statutory Interpretation of California Insurance Code 10113.71

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In an article published in DRI's *For the Defense*, Hinshaw partner Michael A.S. Newman discusses Section 10113.71 of the California Insurance Code, which provides that before an insurer lapses an insurance policy for failure to pay a premium, it must give timely notice to the policy owner, a person designated by the owner, and anyone assigned the policy or "other person having an interest" in the policy.

Newman addresses the meaning of these last words—"other person having an interest"—arguing that "[w]hile the term 'interest' can, in some circumstances, be susceptible to a broad interpretation, section 10113.71 makes clear that 'interest' must indeed be read narrowly," since a broad reading would render the other terms surplusage, would run contrary the plain language of the statute, would undermine the statutory scheme, and would be inconsistent with the legislative history.

Newman notes that disputes over the meaning of this term will continue to be hotly contested in California until the matter is resolved by the courts.

[Read the full article](#)

"What Qualifies as an 'Other Person Having Interest' Under California Insurance Code 10113.71?" was published in the March 2023 edition of *For The Defense* by DRI.

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