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**MISSISSIPPI DEPARTMENT OF INSURANCE
BULLETIN NO 2006-9**

July 27, 2006

WITHDRAWAL OF BULLETIN 2001-3

On November 30, 2001, the Mississippi Department of Insurance ("Department") issued Bulletin 2001-3 which, pursuant to an Official Attorney General Opinion issued October 5, 2001, stated the Department would not approve automobile liability policies or endorsements which excluded punitive damages. However, pursuant to *State Farm v. Daughdrill*, 474 So. 2d 1048 (Miss. 1985), punitive damages could be excluded under uninsured motorist coverages.

On October 27, 2005, the Mississippi Supreme Court rendered its ruling in *Shelter Mutual Insurance Company, et al v. George Dale, et al*, No. 2004-CA-01023-SCT, in which the court found that Mississippi law does not prevent an insurance company from excluding coverage for punitive damages by amendatory endorsement to its automobile policies.

Therefore, based upon the Mississippi Supreme Court's ruling in *Shelter v. Dale*, the Department hereby withdraws Bulletin 2001-3. Any questions regarding the filing of amended endorsements or revised forms should be directed to the Rating Division of the Mississippi Department of Insurance at 601/359-3575.

A handwritten signature in cursive script that reads "George Dale".

GEORGE DALE
COMMISSIONER OF INSURANCE