

SECOND REGULAR SESSION

HOUSE BILL NO. 1959

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE YATES.

Read 1st time February 4, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4873L.02I

AN ACT

To repeal section 379.118, RSMo, and to enact in lieu thereof one new section relating to the transmission of insurance-related information in specific formats.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 379.118, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 379.118, to read as follows:

379.118. 1. If any insurer proposes to cancel or to refuse to renew a policy of automobile insurance delivered or issued for delivery in this state except at the request of the named insured or for nonpayment of premium, it shall, on or before thirty days prior to the proposed effective date of the action, send written notice by certificate of mailing of its intended action to the named insured at his last known address. The notice shall state:

- (1) The proposed action to be taken;
- (2) The proposed effective date of the action;
- (3) The insurer's actual reason for proposing to take such action, the statement of reason to be sufficiently clear and specific so that a person of average intelligence can identify the basis for the insurer's decision without further inquiry. Generalized terms such as "personal habits", "living conditions", "poor morals", or "violation or accident record" shall not suffice to meet the requirements of this subdivision;
- (4) That the insured may be eligible for insurance through the assigned risk plan if his insurance is to be canceled.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 2. An insurer shall send an insured written notice of an automobile policy renewal at
16 least fifteen days prior to the effective date of the new policy. The notice shall be sent by first
17 class mail **or may be sent electronically if requested by the policyholder**, and shall contain
18 the insured's name, the vehicle covered, the total premium amount, and the effective date of the
19 new policy. **Any request for electronic delivery of renewal notices shall be designated on**
20 **the application form signed by the applicant or made in writing by the policyholder. The**
21 **insurer shall comply with any subsequent request by a policyholder to rescind**
22 **authorization for electronic delivery and to elect to receive renewal notices by first class**
23 **mail. Any delivery of a renewal notice by electronic means shall not constitute notice of**
24 **cancellation of a policy even if such notice is included with the renewal notice.**

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