

ORIGINAL



0896L07.01F

HOUSE _____ AMENDMENT NO. _____

Offered By

Nance

36

1 Amend HCS/SS/SCS/SB Bill No. 132, Page 18, Section 385.211, Line 14,
2 by inserting after all of said line the following:

3 "385.320. 1. Sections 385.300 to 385.320 shall not apply to:

4 (1) Warranties;

5 (2) Maintenance agreements;

6 (3) Warranties, service contracts, or maintenance agreements offered by public utilities on
7 their transmission devices to the extent they are regulated under the laws of this state;

8 (4) Service contracts sold or offered for sale to persons other than consumers;

9 (5) Service contracts sold or offered to nonresidents of this state regardless of whether the
10 entity selling or offering such contracts is located or doing business in this state;

11 (6) Motor vehicle extended service contracts, as defined in section 385.200; and

12 (7) Agreements or warranties which provide for the service, repair, replacement, or
13 maintenance of the systems, appliances, and structural components of residential or commercial
14 real property.

15 2. Manufacturer's service contracts on the manufacturer's products need only comply with
16 the provisions of sections 385.306, 385.308, and 385.316.

17 3. Residential or home warranty service contracts which provide for the service, repair,
18 replacement, or maintenance of the systems, appliances, or any property associated with or
19 structural component of residential or commercial property, are not insurance, nor shall such
20 contracts be subject to the provisions of sections 385.300 to 385.320. Residential or home
21 warranty service contracts shall be subject to regulation under sections 407.010 to 407.130 and
22 other laws applicable to consumer contracts in general."; and

23
24 Further amend said bill by amending the title, enacting clause, and intersectional references
25 accordingly.

Action Taken _____ Date _____ 1

10/10/2020