

ORIGINAL



0896L07.02F

HOUSE \_\_\_\_\_ AMENDMENT NO. \_\_\_\_\_

*Molender*

Offered By

*123*

Amend ~~HCS 55~~ <sup>#2</sup> ~~SCS SB~~ Bill No. 132, Page 18, Section 385.211, Line 14,

by inserting after all of said line the following:

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

(1) Warranties;

(2) Maintenance agreements;

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

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

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

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

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

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

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

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

Action Taken \_\_\_\_\_ Date \_\_\_\_\_ 1

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