

HOUSE _____ AMENDMENT NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 470, Page 15, Section 302.768, Line 56, by inserting after all of said section and
3 line the following:

4 “303.200. After consultation with insurance companies authorized to issue automobile
5 liability policies in this state, the director of the department of insurance, financial institutions and
6 professional registration shall approve a reasonable plan or plans for the equitable apportionment
7 among such companies of applicants for such policies and for motor vehicle liability policies who
8 are in good faith entitled to but are unable to procure such policies through ordinary methods.
9 When any such plan has been approved, all such insurance companies shall subscribe thereto and
10 participate therein. Any such plan shall contract with an entity or entities to accept and service
11 applicants and policies for any company that does not elect to accept and service applicants and
12 policies. By October 1 of each year any company that elects to accept and service applicants and
13 policies for the next calendar year for any such plan shall so notify the plan. Any company that
14 does not so notify a plan shall be excused from accepting and servicing applicants and policies for
15 the next calendar year for such plan and shall pay a fee to the plan or servicing entity for providing
16 such services. The fee shall be based on the company’s market share on the kinds of insurance
17 offered by the plan. Any applicant for any such policy, any person insured under any such plan,
18 and any insurance company affected, may appeal to the director from any ruling or decision of the
19 manager or committee designated to operate such plan. Any person aggrieved hereunder by any
20 order or act of the director may, within ten days after notice thereof, file a petition in the circuit
21 court of the county of Cole for a review thereof. The court shall summarily hear the petition and
22 may make any appropriate order or decree.”; and

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