

FIRST REGULAR SESSION

HOUSE BILL NO. 1034

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JONES (50).

2248H.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 379.1500, RSMo, and to enact in lieu thereof one new section relating to definitions for insurance.

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

Section A. Section 379.1500, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 379.1500, to read as follows:

379.1500. As used in sections 379.1500 to 379.1550, the following terms shall mean:

(1) "Director", the director of the department of insurance, financial institutions and professional registration;

(2) "Insurance company" or "insurer", any person, reciprocal exchange, interinsurer, or any other legal entity licensed and authorized by the director to write inland marine coverage;

(3) "Insurance producer" or "producer", a person required to be licensed under the laws of this state to sell, solicit, or negotiate insurance;

(4) "License", the same meaning as such term is defined in section 375.012;

(5) "Location", any physical location in this state or any website, call center site, or similar location directed to residents of this state;

(6) "Negotiate", the same meaning as such term is defined in section 375.012;

(7) "Person", an individual or business entity;

(8) "Portable electronics", electronic devices that are portable in nature, their accessories, and services related to the use of the device **including, but not limited to, cellular phones and smart phones with built in applications and internet access** [. Portable electronics does not include telecommunication and cellular equipment used by a telecommunication company to provide telecommunication service to consumers];

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.

- 18 (9) "Portable electronics insurance", an insurance policy issued by an insurer which may
19 be offered on a month-to-month or other periodic basis as a group or master commercial inland
20 marine policy issued to a vendor of portable electronics under which individual customers may
21 elect to enroll for coverage for the repair or replacement of portable electronics which may cover
22 portable electronics against any one or more of the following causes of loss: loss, theft,
23 mechanical failure, malfunction, damage, or other applicable perils, but does not include:
- 24 (a) A service contract governed by sections 385.300 to 385.321;
25 (b) A policy of insurance covering a seller's or manufacturer's obligations under a
26 warranty; or
27 (c) A homeowner's, renter's, private passenger automobile, commercial multiperil,
28 similar policy, or endorsement to such policy that covers any portable electronics;
- 29 (10) "Portable electronics insurance license", a license to sell or solicit portable
30 electronics insurance;
- 31 (11) "Portable electronics transaction", the sale or lease of portable electronics by a
32 vendor to a customer or the sale of a service related to the use of portable electronics by a vendor
33 to a customer;
- 34 (12) "Sell", the same meaning as such term is defined in section 375.012;
35 (13) "Solicit", the same meaning as such term is defined in section 375.012;
36 (14) "Supervising business entity", the insurer or a licensed business entity producer
37 designated by the insurer to supervise the actions of a vendor;
- 38 (15) "Vendor", a person in the business of engaging in portable electronics transactions
39 directly or indirectly.

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