

SECOND REGULAR SESSION

HOUSE BILL NO. 3127

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MOSLEY.

6882H.02I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 379, RSMo, by adding thereto two new sections relating to insurance coverage due to firearm discharge incidents.

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

Section A. Chapter 379, RSMo, is amended by adding thereto two new sections, to be
2 known as sections 379.965 and 379.967, to read as follows:

379.965. 1. **As used in sections 379.965 to 379.967, unless the context otherwise**
2 **requires, the following terms mean:**

3 (1) **"Covered policy"**, any policy of:

4 (a) **Homeowners' insurance**, as defined in section 374.400;

5 (b) **Dwelling-owners' insurance**, as defined in section 374.400; or

6 (c) **Renters' or tenants' insurance**, as defined in section 374.400;

7 (2) **"Firearm discharge incident"**, any incident involving the discharge of a
8 firearm, as defined in section 571.101, that results in:

9 (a) **Physical damage to the insured property**; or

10 (b) **Conditions that render the insured property temporarily uninhabitable**,
11 **regardless of whether the discharge was intentional, unintentional, accidental, criminal**,
12 **or stray in nature**;

13 (3) **"Insured"**, any individual covered under a covered policy;

14 (4) **"Insurer"**, any insurance company, including any reciprocal or inter-
15 insurance exchange, licensed and authorized by the director to write homeowners'
16 insurance, dwelling-owners' insurance, or renters' or tenants' insurance upon property
17 located within this state.

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 **2. Sections 379.965 to 379.967 shall not be construed to:**
19 **(1) Regulate or restrict the lawful manufacture, ownership, possession, carrying,**
20 **transportation, or use of firearms;**

21 **(2) Impose any duty or liability upon firearm owners or users; or**
22 **(3) Affect any right protected under the Constitution of the United States or the**
23 **Constitution of Missouri.**

24 **3. Each insurer that offers or issues covered policies that are delivered, issued for**
25 **delivery, continued, or renewed in this state on or after January 1, 2027, and that**
26 **provides coverage for any damage to real or personal property caused by firearm**
27 **discharge incidents shall provide coverage for any reasonable increase in living expenses**
28 **incurred as a result of a firearm discharge incident that:**

29 **(1) Occurs at or near the insured property; and**
30 **(2) Causes any injury or damage, including physical damage to the insured**
31 **property, that renders the insured property temporarily uninhabitable.**

32 **4. The coverage required under this section shall be designed to help with**
33 **necessary expenses incurred while the insured property is being repaired or replaced**
34 **including, but not limited to:**

35 **(1) Temporary housing such as rent for a hotel, apartment, or rental home;**
36 **(2) Meals over and above the insured's normal household expenses;**
37 **(3) Increased transportation costs; and**
38 **(4) Other reasonable and necessary living expenses.**

39 **5. An insurer shall specify in the policy declarations of the covered policy the**
40 **maximum amount the insurer will pay for additional living expenses under this section,**
41 **which shall be either:**

42 **(1) A dollar-amount limit in which the insurer pays up to the specified dollar**
43 **amount listed in the covered policy; or**

44 **(2) An ending-date limit in which the insurer provides coverage for a period not**
45 **to exceed the number of days specified in the covered policy, starting from the date of**
46 **the firearm discharge incident or the date the insured property becomes uninhabitable.**

47 **6. The coverage required under this section shall continue for the duration**
48 **required to repair or replace the damaged property or, if the insured permanently**
49 **relocates, for the time required for the insured's household to settle elsewhere or until**
50 **the insured's household can maintain its normal standard of living. The coverage**
51 **period shall be subject to the limit defined by the covered policy as required under**
52 **subsection 5 of this section. Payments shall be made for the time needed for repairs to**
53 **restore the property to a habitable condition or until the insured's relocation is**
54 **complete.**

55 **7. Coverage required under this section shall not include:**

56 **(1) Expenses the insured incurs due to evacuation orders not related to the**
57 **firearm discharge incident;**

58 **(2) Any living expenses unrelated to the insured's inability to live in the insured**
59 **property following the firearm discharge incident; or**

60 **(3) Any expenses that are not deemed reasonable and necessary by the insurer.**

61 **8. Coverage required under this section shall apply once the insured property is**
62 **uninhabitable due to the firearm discharge incident. An insurer may impose a waiting**
63 **period of up to forty-eight hours before coverage becomes effective.**

64 **9. An insured shall not receive the coverage required under this section unless**
65 **the insured:**

66 **(1) Notifies the insurer as soon as reasonably practicable after the firearm**
67 **discharge incident and includes relevant details;**

68 **(2) Provides documentation of all additional living expenses incurred; and**

69 **(3) Cooperates with the insurer's investigation, including by providing access to**
70 **receipts and any necessary records to substantiate the claim.**

79.967. 1. Notwithstanding any other provision of law to the contrary, when an
2 insured motor vehicle is involved in a firearm discharge incident, the following coverage
3 requirements shall apply:

4 **(1) If a firearm discharge incident results in a homicide occurring inside the**
5 **insured motor vehicle, the resulting damage shall be treated as a covered loss under the**
6 **terms of the policy. The insurer shall conduct a total loss evaluation consistent with**
7 **standard industry practices including consideration of biohazard contamination,**
8 **structural integrity, and restoration costs necessary to return the vehicle to pre-loss**
9 **condition; and**

10 **(2) If a firearm discharge incident results in damage to the insured motor**
11 **vehicle, the insurer shall treat such damage as eligible for repair coverage under the**
12 **terms of the existing policy including cosmetic restoration when necessary to return the**
13 **vehicle to pre-loss condition.**

14 **2. Subsection 1 of this section shall not require insurers to add new coverages or**
15 **benefits beyond those provided in the policyholder's selected policy.**

16 **3. The coverage required under subsection 1 of this section shall be included in**
17 **all standard motor vehicle insurance coverage policies issued in this state.**

18 **4. This section shall apply only to insurance coverage for motor vehicles affected**
19 **by a firearm discharge incident.**

20 **5. The director of the department of commerce and insurance may promulgate**
21 **all necessary rules and regulations for the administration of sections 379.965 to 379.967.**

22 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**
23 **under the authority delegated in this section shall become effective only if it complies**
24 **with and is subject to all of the provisions of chapter 536 and, if applicable, section**
25 **536.028. This section and chapter 536 are nonseverable and if any of the powers vested**
26 **with the general assembly pursuant to chapter 536 to review, to delay the effective date,**
27 **or to disapprove and annul a rule are subsequently held unconstitutional, then the grant**
28 **of rulemaking authority and any rule proposed or adopted after August 28, 2026, shall**
29 **be invalid and void.**

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