

SECOND REGULAR SESSION

SENATE BILL NO. 1036

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WHITE.

Read 1st time February 24, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

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AN ACT

To repeal section 379.122, RSMo, and to enact in lieu thereof one new section relating to motor vehicle insurance for military servicemembers.

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

Section A. Section 379.122, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 379.122, to read as follows:

379.122. 1. No insurer shall refuse to write a policy for an applicant or
2 base an adverse underwriting decision, **including but not limited to charging**
3 **an increased premium**, solely on the fact that the applicant has never
4 purchased such a policy of motor vehicle insurance where the lack of motor
5 vehicle insurance coverage is due to the applicant serving in the armed services
6 and the applicant has not operated a motor vehicle in violation of any financial
7 responsibility or compulsory insurance requirement within the past twelve
8 months.

9 2. No insurer shall refuse to write a policy for an applicant or base an
10 adverse underwriting decision, **including but not limited to charging an**
11 **increased premium**, solely on the fact that the applicant has not owned or been
12 covered by such a policy of motor vehicle insurance during any specified period
13 immediately preceding the date of application where the lack of motor vehicle
14 insurance coverage is due to the applicant serving in the armed services and the
15 applicant has not operated a motor vehicle in violation of any financial
16 responsibility or compulsory insurance requirement within the past twelve
17 months. Nothing in this subsection shall prohibit an insurer from giving a
18 discount for such an applicant that has been covered by a policy of insurance
19 during such a specified period.

20 3. Nothing in this section shall prohibit an insurer from basing an adverse

21 underwriting decision on an applicant's previous driving record where such record
22 indicates that the applicant is a substandard risk.

23 4. In order to establish compliance with this section, an insurer may
24 require any applicant claiming to meet the criteria of subsection 1 or 2 of this
25 section to provide proof of eligibility in a manner as the insurer may prescribe.

26 **5. The adjutant general shall ensure that members of the state**
27 **military forces, as defined in section 40.005, receive notice of the**
28 **protections provided under this section at such time as information**
29 **regarding the Servicemembers Civil Relief Act, 50 U.S.C. 3901, et seq.,**
30 **is provided, or at such other times as the adjutant general deems**
31 **appropriate. The notice shall specifically state that insurers are**
32 **prohibited under this section from refusing to issue a policy of motor**
33 **vehicle insurance, or from charging higher premiums, based solely on**
34 **a lack of prior coverage where the lack of prior coverage was due to**
35 **military service. The Secretaries of the branches of the United States**
36 **Armed Forces are hereby encouraged to likewise notify servicemembers**
37 **under their jurisdictions of the protections provided under this section.**

Bill ✓

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