

SECOND REGULAR SESSION

# SENATE BILL NO. 1074

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOSKINS.

Read 1st time February 27, 2020, and ordered printed.

ADRIANE D. CROUSE, Secretary.

5721S.011

## AN ACT

To repeal section 379.120, RSMo, and to enact in lieu thereof one new section relating to explanations of refusal to write automobile insurance.

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

Section A. Section 379.120, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 379.120, to read as follows:

379.120. 1. If any insurer refuses to write a policy of automobile insurance, it shall, within thirty days after such refusal, send a written explanation of such refusal to the applicant at his last known address. Notice shall be sent by United States Postal Service certified mail, certificate of mailing, first class mail using Intelligent Mail barcode (IMb), or another mail tracking method used, approved, or accepted by the United States Postal Service. The explanation shall state:

(1) The insurer's actual reason for refusing to write the policy, the statement of reason to be sufficiently clear and specific so that a person of average intelligence can identify the basis for the insurer's decision without further inquiry. Generalized terms such as "personal habits", "living conditions", "poor morals", or "violation or accident record" shall not suffice to meet the requirements of this subdivision;

(2) That the applicant may be eligible for insurance through the assigned risk plan if other insurance is not available.

**2. An insurer shall be exempt from the requirements of subsection 1 of this section if the applicant is written on a policy of automobile insurance issued by an affiliate or subsidiary within the same insurance holding company system.**

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