

FIRST REGULAR SESSION

SENATE BILL NO. 252

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WIELAND.

Read 1st time January 15, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

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AN ACT

To amend chapter 375, RSMo, by adding thereto three new sections relating to insurance litigation.

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

Section A. Chapter 375, RSMo, is amended by adding thereto three new sections, to be known as sections 375.1800, 375.1803, and 375.1806, to read as follows:

375.1800. 1. A domestic insurance company shall be deemed for all purposes, including venue, to reside in, and be a resident of, the county where its registered office is maintained.

2. A foreign insurance company shall be deemed for all purposes, including venue, to reside in, and be a resident of, the county where its registered office is maintained. A foreign insurance company that does not maintain a registered office in any county in Missouri shall be deemed to reside in, and be a resident of, Cole County.

375.1803. 1. Notwithstanding any provision of law to the contrary, in all actions in which there is any count against an insurer, whether in tort or contract, regarding the rights, benefits, or duties under an insurance contract or any action arising from an insurance contract, including but not limited to claims of bad faith, refusal to settle, claims under section 375.296, or claims under section 375.420, venue shall be in the county where the insurer resides, or if the insured was a resident of Missouri at the time the insurance contract was issued, the county of the insured's principal place of residence, as defined in section 508.010, at the time the insurance contract was issued. Venue shall be determined by this section even if the insured's rights or claims under the policy have been assigned or otherwise

13 transferred to another party. However, intervention by an insurer in
14 an action pursuant to section 537.065 shall not affect the venue of the
15 action.

16 2. The provisions of this section shall not apply to any action
17 against an insurer relating to uninsured motorist coverage or
18 underinsured motorist coverage, including any action to enforce such
19 coverage.

375.1806. Notwithstanding any provision of law to the contrary,
2 in all actions against an insurer relating to uninsured motorist
3 coverage or underinsured motorist coverage, including any action to
4 enforce such coverage, venue as to that individual plaintiff shall be
5 determined as follows:

6 (1) If the accident involving the uninsured or underinsured
7 motor vehicle occurred in Missouri, then venue shall be in the county
8 where the accident occurred;

9 (2) If the accident involving the uninsured or underinsured
10 motor vehicle occurred outside the state of Missouri, then venue shall
11 either be in:

12 (a) The county where the insurer resides; or

13 (b) If the insured's principal place of residence, as defined in
14 section 508.010, was in the state of Missouri on the date the insured was
15 first injured by the accident involving an uninsured or underinsured
16 motor vehicle, the county of the insured's principal place of residence
17 on the date the insured was first injured by such accident.

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