

FIRST REGULAR SESSION

# SENATE BILL NO. 294

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOSKINS.

1294S.01I

ADRIANE D. CROUSE, Secretary

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Section A. Section 379.120, RSMo, is repealed and one new  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

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

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

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

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

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