

FIRST REGULAR SESSION

SENATE BILL NO. 369

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR WHITE.

1723S.011

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal section 379.140, RSMo, and to enact in lieu thereof one new section relating to the valuation of insured property.

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

Section A. Section 379.140, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 379.140,
3 to read as follows:

379.140. In all suits brought upon policies of
2 insurance against loss or damage [by fire] hereafter issued
3 or renewed, the defendant shall not be permitted to deny
4 that the property insured thereby was worth at the time of
5 the issuing of the policy the full amount insured therein on
6 said property; and in case of total loss of the property
7 insured, the measure of damage shall be the amount for which
8 the same was insured, less whatever depreciation in value,
9 below the amount for which the property is insured, the
10 property may have sustained between the time of issuing the
11 policy and the time of the loss, and the burden of proving
12 such depreciation shall be upon the defendant; and in case
13 of partial loss, the measure of damage shall be that portion
14 of the value of the whole property insured, ascertained in
15 the manner prescribed in this chapter, which the part
16 injured or destroyed bears to the whole property insured.

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EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.