

FIRST REGULAR SESSION

HOUSE BILL NO. 741

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ENGLER.

1589H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 379, RSMo, by adding thereto two new sections relating to insurance markets for commercial insurance.

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

Section A. Chapter 379, RSMo, is amended by adding thereto two new sections, to be known as sections 379.386 and 379.387, to read as follows:

379.386. 1. Subject to the provisions of subsections 1 and 2 of this section, the following insurance coverages shall be exempt from filing requirements with respect to rates and policy forms, where applicable under this chapter, whether the insurance coverage is endorsed to or otherwise made part of another kind of insurance policy or sold as a stand-alone policy:

- (1) Aircraft liability and hull insurance;**
- (2) Surety and fidelity;**
- (3) Commercial inland marine;**
- (4) Ocean marine;**
- (5) Boiler and machinery;**
- (6) Environmental impairment/pollution liability;**
- (7) Kidnap and ransom;**
- (8) Political risk or expropriation;**
- (9) Excess and umbrella liability;**
- (10) Directors' and officers' liability;**
- (11) Fiduciary liability;**
- (12) Employment practices liability;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (13) Errors and omission and professional liability (other than medical
19 malpractice);

20 (14) Media liability;

21 (15) Commercial lines travel risks, including accidental death and dismemberment;

22 (16) Product liability, product recall, and completed operations;

23 (17) Cybersecurity, including first and third party commercial lines coverage for
24 losses arising out of or relating to data privacy breaches, network security, computer
25 viruses, and similar exposures;

26 (18) Highly protected commercial property;

27 (19) Commercial flood insurance (other than National Flood Insurance Program);

28 (20) All commercial lines insurance coverages not excluded under subsection 2 of
29 this section if purchased by a commercial policyholder with aggregate commercial
30 insurance premiums of ten thousand dollars or more (excluding premiums for the types
31 of insurance excluded under subsection 2 of this section); and

32 (21) Any other commercial lines insurance coverage or risk that the director shall,
33 pursuant to regulation, exempt from rate and policy form filing requirements in order to
34 promote enhanced competition or to more effectively use the resources of the department
35 that might otherwise be used to review commercial lines filings.

36 2. The provisions of this subsection 1 of this section shall not apply to the following
37 kinds of commercial insurance:

38 (1) Workers' compensation;

39 (2) Medical malpractice liability insurance;

40 (3) Non-fleet commercial automobile liability (policies covering four or fewer
41 vehicles); and

42 (4) Any coverage issued by an assigned risk or residual market plan pursuant to
43 section 303.200.

379.387. Sections 379.386 to 379.387 shall apply to all property and casualty
2 insurance policies issued or renewed on or after January 1, 2018.

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