

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1619, Page 18, Section 375.246, Line 589, by inserting after all of said line the
2 following:

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4 "379.402. 1. A producer or insurer, by or through its employees, affiliates, or authorized third
5 parties, may offer or provide products or services in conjunction with a policy of property and casualty
6 insurance for free, at a discount, or at market value, if such products or services are intended to:

7 (1) Prevent or mitigate loss to persons or property;

8 (2) Provide loss control;

9 (3) Reduce rates or claims;

10 (4) Educate about risk of loss to persons or property;

11 (5) Monitor or assess risk, identify sources of risk, or develop strategies for eliminating or reducing
12 risks; or

13 (6) Provide post-loss services.

14 2. A producer or insurer may offer or provide gifts, goods, or merchandise that contain advertising or
15 promotion of the producer or insurer to policyholders, prospective policyholders, or members of the public.

16 3. A product or service offered or provided as described under subsection 1 or 2 of this section shall
17 not be considered an inducement to insurance, a rebate, or any other impermissible consideration as those
18 terms are used in section 379.356 and subdivision (9) of section 375.936. The offer or provision of products
19 or services described in subsection 1 or 2 of this section shall not be required in the contract or policy form
20 filings.

21 4. The director may promulgate rules to exempt, but not restrict, additional categories of products or
22 services under this section with regard to the provisions of section 379.356 and subdivision (9) of section
23 375.936 that prohibit insurers, employees of an insurer, affiliates, insurance producers, or other third parties
24 from giving rebates, discounts, gifts, or other valuable consideration as an inducement to insurance. Any rule
25 or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in
26 this section shall become effective only if it complies with and is subject to all of the provisions of chapter
27 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the
28 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to
29 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority
30 and any rule proposed or adopted after August 28, 2020, shall be invalid and void.

31 379.404. The provisions of section 379.356 and subdivision (9) of section 375.936 that prohibit a
32 producer or insurer from giving rebates, discounts, gifts, or other valuable consideration as an inducement to
33 insurance shall not apply to commercial property and casualty insurance. The exclusion provided under this
34 section shall not apply to producer commission reductions not included in insurance company rate filings.";
35 and

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37 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken _____ Date _____