**522E.13 Portable electronics insurance policy — changes — termination.**

1. An insurer may terminate a portable electronics insurance policy or otherwise change the terms and conditions of a portable electronics insurance policy only upon providing the licensed portable electronics vendor that is the policyholder and enrolled consumers with at least thirty calendar days' written notice.

2. If the insurer changes the terms and conditions of a policy of portable electronics insurance, the insurer shall provide the licensed portable electronics vendor that is the policyholder with a revised policy or endorsement and each enrolled consumer with a revised certificate, endorsement, updated brochure, or other evidence indicating that a change in the terms and conditions of the policy has occurred and a summary of those changes.

3. Notwithstanding subsection 1, an insurer may terminate an enrolled consumer's enrollment under a portable electronics insurance policy upon fifteen calendar days' notice for discovery of fraud or material misrepresentation in obtaining coverage or in the presentation of a claim under the policy.

4. Notwithstanding subsection 1, an insurer may immediately terminate an enrolled consumer's enrollment under a portable electronics insurance policy without prior notice for any of the following reasons:

*a.* Nonpayment of premium.

*b.* If the enrolled consumer ceases to have an active service with the licensed portable electronics vendor that is the policyholder.

*c.* If the enrolled consumer exhausts the aggregate limit of liability, if any, under the terms of the portable electronics insurance policy and the insurer sends notice of termination to the enrolled consumer within thirty calendar days after exhaustion of the limit. However, if notice is not sent within thirty calendar days, enrollment shall continue notwithstanding the aggregate limit of liability until thirty calendar days from the date the insurer sends notice of termination to the enrolled consumer.

5. If a portable electronics insurance policy is terminated by the licensed portable electronics vendor that is the policyholder, the portable electronics vendor shall deliver by mail or deliver by electronic means a written notice to each enrolled consumer advising the enrolled consumer of the termination of the policy and the effective date of termination. The written notice shall be delivered by the portable electronics vendor to the enrolled consumer at least thirty calendar days prior to the termination. However, if the notice is not sent within thirty calendar days, enrollment shall continue until thirty calendar days from the date the portable electronics vendor sends notice of termination to the enrolled consumer or until a new portable electronics insurance policy is in effect.

6. Whenever notice or correspondence with respect to a policy of portable electronics insurance is required pursuant to this section, it shall be in writing and sent within the notice period required pursuant to this section. Notices and correspondence shall be sent to the licensed portable electronics vendor that is the policyholder at the portable electronics vendor's mailing or electronic mail address specified for that purpose and to its affected enrolled consumers' last known mailing or electronic mail addresses on file with the insurer or the portable electronics vendor. All notices and documents that are delivered by electronic means shall comply with section 505B.1, except for the provisions in section 505B.1, subsection 4. The insurer or portable electronics vendor shall maintain proof that the notice or correspondence was sent for not less than three years from the date that the notice or correspondence was sent.

2015 Acts, ch 87, §13, 16; 2019 Acts, ch 16, §6; 2019 Acts, ch 89, §18; 2020 Acts, ch 1063, §298