

**House File 639 - Introduced**

HOUSE FILE 639

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 487)

(SUCCESSOR TO HSB 120)

**A BILL FOR**

1 An Act regulating the sale of portable electronics insurance,  
2 including requiring licensure, providing for fees and  
3 penalties, and including effective date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 522E.1 Definitions.

2 As used in this chapter, unless the context otherwise  
3 requires:

4 1. "Commissioner" means the commissioner of insurance.

5 2. "Consumer" means a person who purchases portable  
6 electronics in a retail transaction.

7 3. "Endorsee" means an unlicensed employee or authorized  
8 representative of a licensed portable electronics vendor.

9 4. "Enrollment" means the process of soliciting or accepting  
10 enrollments or applications from a consumer under a portable  
11 electronics insurance policy, which includes informing the  
12 consumer of the availability of coverage, preparing and  
13 delivery of the certificate of insurance or notice of proposed  
14 insurance, or otherwise assisting the consumer in making an  
15 informed decision whether or not to elect to purchase portable  
16 electronics insurance.

17 5. "Free-trial offer" means an offer to a consumer under  
18 which portable electronics insurance is provided free of charge  
19 for a limited time period subsequent to which a charge is made  
20 to the consumer for the insurance.

21 6. a. "License period" means all of that three-year period  
22 beginning as described in paragraph "b", subparagraph (1) or  
23 (2), as applicable, and ending the second succeeding year on  
24 the last calendar day of the month in which the initial license  
25 was issued.

26 b. A license period shall be determined for each person as  
27 follows:

28 (1) Upon initial licensing, the license period shall start  
29 on the date the license is issued.

30 (2) For a subsequent license, the license period shall  
31 start on the first day following the month in which the initial  
32 license was issued.

33 c. A license shall be renewed on or before the expiration  
34 date of the license period.

35 7. a. "Portable electronics" means any of the following

1 devices:

2 (1) Personal, self-contained, easily carried by an  
3 individual, battery-operated electronic communication, viewing,  
4 listening, recording, gaming, computing, or global positioning  
5 devices, including cell or satellite phones, pagers, personal  
6 global positioning satellite units, portable computers,  
7 portable audio listening, video viewing or recording devices,  
8 digital cameras, video camcorders, portable gaming systems,  
9 docking stations, and automatic answering devices, including  
10 their accessories and service related to the use of the  
11 devices.

12 (2) Any other electronic device that is portable in nature  
13 that the commissioner approves.

14 *b. "Portable electronics" does not include*  
15 telecommunications switching equipment, transmission  
16 wires, cell site transceiver equipment, or other equipment  
17 and systems used by telecommunications companies to provide  
18 telecommunications service to consumers.

19 8. *a. "Portable electronics insurance" means a contract*  
20 providing coverage for the repair or replacement of portable  
21 electronics against any one or more of the following causes of  
22 loss: loss, theft, mechanical failure, malfunction, damage, or  
23 other applicable perils.

24 *b. "Portable electronics insurance" does not include any of*  
25 the following:

26 (1) A service contract or extended warranty providing  
27 coverage limited to the repair, replacement, or maintenance of  
28 property for the operational or structural failure of property  
29 due to a defect in materials, workmanship, accidental damage  
30 from handling, power surges, or normal wear and tear.

31 (2) A policy of insurance covering a seller's or a  
32 manufacturer's obligations under a warranty.

33 (3) A homeowner's, renter's, private passenger automobile,  
34 commercial multiperil, or similar policy.

35 9. *"Portable electronics insurance license" means a document*

1 issued by the commissioner pursuant to this chapter authorizing  
2 a portable electronics vendor to offer or sell portable  
3 electronics insurance in this state.

4 10. *"Portable electronics vendor"* means any person in the  
5 business, directly or indirectly, of selling, reselling,  
6 soliciting, or leasing portable electronics, their accessories,  
7 and related services to consumers.

8 Sec. 2. NEW SECTION. **522E.2 Licensure required.**

9 A person shall not offer or sell any form of portable  
10 electronics insurance in this state unless the person is  
11 licensed as an insurance producer pursuant to chapter 522B,  
12 is issued a portable electronics insurance license pursuant  
13 to this chapter, or is an endorsee who is in compliance with  
14 section 522E.6.

15 Sec. 3. NEW SECTION. **522E.3 Portable electronics insurance**  
16 **license.**

17 A portable electronics vendor that applies for a license  
18 and complies with the requirements of this chapter shall  
19 be issued a portable electronics insurance license by the  
20 commissioner that authorizes the licensee and the licensee's  
21 endorsees to offer or sell portable electronics insurance to  
22 a consumer in connection with, and incidental to, the sale of  
23 portable electronics or the sale and provision of accessories  
24 or services related to the use of portable electronics.

25 Sec. 4. NEW SECTION. **522E.4 Application and fees.**

26 1. A portable electronics vendor applying for a portable  
27 electronics insurance license under this chapter shall submit  
28 all of the following to the commissioner:

29 a. A written application for licensure, signed by the  
30 applicant or an officer of the applicant, in the form  
31 prescribed by the commissioner.

32 b. A certificate by the insurer that is to be named in  
33 the portable electronics insurance license, stating that the  
34 insurer is satisfied that the named applicant is trustworthy  
35 and competent to act as a portable electronics insurance

1 licensee limited to this purpose and that the insurer will  
2 appoint the applicant to act as its agent to transact the kind  
3 or kinds of insurance that are permitted by this chapter if the  
4 portable electronics insurance license applied for is issued by  
5 the commissioner. The certification shall be subscribed by an  
6 officer or managing agent of the insurer on a form prescribed  
7 by the commissioner.

8     *c.* An application fee of the lesser of fifty dollars per  
9 each endorsee at a location of the vendor or five hundred  
10 dollars per location valid for a three-year period and, for  
11 each three-year period thereafter, a renewal fee in the same  
12 amount. A maximum fee of five thousand dollars shall apply  
13 for licensure of a portable electronics vendor with multiple  
14 locations. The fees collected shall be deposited as provided  
15 in section 505.7.

16     2. Costs associated with any enforcement action against or  
17 investigation of a portable electronics vendor licensed under  
18 this chapter shall be paid for by the portable electronics  
19 vendor.

20     Sec. 5. NEW SECTION. 522E.5 License renewal.

21     1. Not less than sixty days before a portable electronics  
22 insurance license will expire, the commissioner may use an  
23 electronic delivery method, including electronic mail or other  
24 similar electronic method of delivery, to deliver, or may mail,  
25 to the latest electronic mail or mailing address appearing in  
26 the commissioner's records, an application to the licensee  
27 to renew a portable electronics insurance license for the  
28 appropriate succeeding license term. It is the licensee's  
29 responsibility to renew the license, whether or not a renewal  
30 notice is received.

31     2. The commissioner may accept a late renewal without  
32 penalty, provided that the licensee's failure to comply is due  
33 to a clerical error or inadvertence.

34     3. An application for renewal of a portable electronics  
35 insurance license may be filed on or before the expiration

1 date of the license. An application for renewal of an expired  
2 license may be filed after the expiration date and until that  
3 same month and date of the next succeeding year.

4 4. The commissioner shall impose a penalty fee equal to  
5 one-half of the renewal fee for the portable electronics  
6 insurance license for any application for renewal that is filed  
7 after the expiration date of the license.

8 Sec. 6. NEW SECTION. **522E.6 Endorsee requirements.**

9 An endorsee of a portable electronics vendor that has been  
10 issued a portable electronics insurance license pursuant to  
11 this chapter may sell or offer insurance products under the  
12 authority of the vendor's portable electronics insurance  
13 license if all of the following conditions have been met:

14 1. The endorsee is eighteen years of age or older.

15 2. The portable electronics vendor, at the time of  
16 submission of an application for a portable electronics  
17 insurance license pursuant to section 522E.4, includes a list  
18 of all locations in this state at which the vendor intends  
19 to offer coverage under a policy of portable electronics  
20 insurance. The list shall be maintained by the portable  
21 electronics vendor in a form prescribed by, or format  
22 acceptable to, the commissioner, shall be updated annually,  
23 and shall be made available to the commissioner for review and  
24 inspection upon request.

25 3. The portable electronics vendor provides for the  
26 training of its endorsees under a program developed by a  
27 licensed property and casualty insurance producer prior to  
28 allowing its endorsees to offer or sell portable electronics  
29 insurance. The training shall meet the following minimum  
30 standards:

31 a. Each endorsee shall receive instruction about the  
32 applicable kinds or types of portable electronics insurance  
33 authorized for sale to prospective consumers in this state as  
34 provided in section 522E.9, subsection 5.

35 b. Each endorsee shall receive training about ethical sales

1 practices.

2 *c.* Each endorsee shall receive training about the  
3 disclosures to be given to prospective consumers pursuant to  
4 section 522E.9.

5 *d.* The retraining of endorsees shall be conducted whenever  
6 there is a material change in the insurance products sold that  
7 requires modification of the training materials, but in no  
8 event less frequently than every three years for each endorsee.

9 *e.* The portable electronics vendor shall maintain a list  
10 of its endorsees who have completed the required training, and  
11 make the list available to the commissioner upon request.

12 **Sec. 7. NEW SECTION. 522E.7 Endorsee conduct.**

13 An endorsee may act on behalf of and under the supervision of  
14 a licensed portable electronics vendor in matters relating to  
15 transacting portable electronics insurance under that vendor's  
16 license. The conduct of an endorsee acting within the scope of  
17 the endorsee's employment or agency shall be deemed the conduct  
18 of the licensed portable electronics vendor for purposes of  
19 this chapter.

20 **Sec. 8. NEW SECTION. 522E.8 Violations and penalties.**

21 1. If a licensed portable electronics vendor or endorsee  
22 violates any provision of this chapter or any other provision  
23 of this title, the commissioner may do any of the following:

24 *a.* After notice and hearing, suspend or revoke the license  
25 of the portable electronics vendor.

26 *b.* After notice and hearing, impose penalties on the  
27 portable electronics vendor for its conduct or that of its  
28 endorsees.

29 *c.* After notice and hearing, impose other penalties that the  
30 commissioner deems necessary and convenient to carry out the  
31 purposes of this chapter, including suspending the privilege  
32 of transacting portable electronics insurance pursuant to  
33 this chapter at specific business locations of the portable  
34 electronics vendor where violations have occurred, imposing  
35 penalties on the portable electronics vendor, and suspending or

1 revoking the ability of individual endorsees to act under the  
2 vendor's license.

3 2. If any person sells insurance in connection with, or  
4 incidental to, the sale of portable electronics or the sale  
5 or provision of accessories or services related thereto, or  
6 holds oneself or an organization out as a licensed portable  
7 electronics vendor without obtaining the license required  
8 by this chapter, or as being an insurance producer licensed  
9 pursuant to chapter 522B without obtaining that license, the  
10 commissioner may issue a cease and desist order.

11 **Sec. 9. NEW SECTION. 522E.9 Requirements at time of sale.**

12 A licensed portable electronics vendor shall not sell  
13 portable electronics insurance pursuant to this chapter unless,  
14 at the time of sale, or reasonably thereafter with respect to a  
15 sale or enrollment occurring by telephone, all of the following  
16 conditions are satisfied:

17 1. The portable electronics vendor provides brochures or  
18 other written materials to the prospective consumer that do all  
19 of the following:

20 a. Summarize the material terms and conditions of coverage  
21 offered, including the identity of the insurer.

22 b. Describe the process for filing a claim, including a  
23 toll-free telephone number to report a claim.

24 c. Disclose any additional information on the price,  
25 benefits, exclusions, conditions, or other limitations of those  
26 policies that the commissioner may, by rule, prescribe.

27 d. Provide the name, address, telephone number, and license  
28 number of the portable electronics vendor or the property  
29 and casualty insurance broker-agent appointed by the insurer  
30 issuing portable electronics insurance coverage to the portable  
31 electronics vendor.

32 2. The portable electronics vendor or its endorsees  
33 make all of the following disclosures, which shall either  
34 be acknowledged in writing by the consumer, be provided in  
35 writing to the consumer, or, for sales made in person, shall



1 be displayed by clear and conspicuous signs that are posted at  
2 every location where portable electronics insurance contracts  
3 are executed, such as the counter where the consumer signs the  
4 portable electronics insurance contract:

5     *a.* That the purchase by the consumer of the kinds of  
6 insurance prescribed in this chapter is not required in order  
7 to purchase portable electronics, accessories, or related  
8 services.

9     *b.* That the insurance policies offered by the portable  
10 electronics vendor may provide a duplication of coverage  
11 already provided by other insurance policies covering the  
12 consumer.

13     *c.* That the vendor or endorsee of the portable electronics  
14 vendor is not qualified or authorized to evaluate the adequacy  
15 of the consumer's existing insurance coverages, unless that  
16 person is licensed pursuant to chapter 522B.

17     *d.* That the consumer may cancel the insurance at any time.  
18 If the consumer cancels, any unearned premium will be refunded  
19 in accordance with applicable law.

20     3. The material terms and conditions of coverage are  
21 provided to every person who elects to purchase the coverage.

22     4. Costs for the insurance are separately itemized in any  
23 billing statement for the insurance. However, if the portable  
24 electronics insurance is included with the purchase or lease  
25 of portable electronics and accessories or related services,  
26 the portable electronics vendor shall clearly and conspicuously  
27 disclose to the consumer that the insurance coverage is  
28 included with the purchase of the portable electronics or  
29 related services and shall disclose the stand-alone cost of the  
30 premium for the same or similar insurance on the consumer's  
31 bill and in any marketing materials made available at the point  
32 of sale.

33     5. The portable electronics insurance is provided under  
34 an individual policy issued to the consumer, or under a group  
35 or master policy issued to an organization through a licensed

1 insurance producer or through a licensed portable electronics  
2 vendor by an insurer authorized to transact the applicable  
3 kinds or types of insurance in this state.

4 6. Portable electronics insurance shall not be sold through  
5 a free-trial offer.

6 Sec. 10. NEW SECTION. 522E.10 Charges and collection of  
7 moneys.

8 1. Charges for portable electronics insurance may be billed  
9 and collected by a licensed portable electronics vendor. A  
10 licensed vendor shall not be required to maintain those moneys  
11 in a segregated account if the insurer represented by the  
12 vendor has provided in writing that the moneys need not be  
13 segregated from moneys received by the portable electronics  
14 vendor on account of the sale or lease of portable electronics  
15 or related services or accessories.

16 2. All moneys received by a licensed portable electronics  
17 vendor from a consumer for the sale of portable electronics  
18 insurance shall be considered moneys held in trust by the  
19 portable electronics vendor in a fiduciary capacity for the  
20 benefit of the insurer. A licensed portable electronics vendor  
21 may receive compensation for billing and collection services.

22 Sec. 11. NEW SECTION. 522E.11 Other restrictions.

23 1. Under the authority of a portable electronics insurance  
24 license, a portable electronics vendor shall not do any of the  
25 following:

26 a. Offer to sell insurance except in conjunction with, and  
27 incidental to, the business of selling portable electronics,  
28 their accessories, or related services.

29 b. Advertise, represent, or otherwise portray itself or  
30 its endorsees as licensed insurers or property and casualty  
31 insurance broker-agents.

32 c. Pay an endorsee compensation based primarily on the  
33 number of consumers electing coverage under the portable  
34 electronics vendor's license. However, this chapter does  
35 not prohibit the payment of compensation to an endorsee

1 of a portable electronics vendor for activities under the  
2 vendor's license that is incidental to the endorsee's overall  
3 compensation. The incidental compensation shall not exceed  
4 fifteen dollars per transaction for portable electronics  
5 insurance coverage.

6 2. Unless lawfully transacting the business of insurance  
7 pursuant to a certificate of authority issued for the  
8 appropriate class of insurance, a person obligated to perform  
9 under a contract offered in or from this state that meets the  
10 definition of portable electronics insurance shall be deemed to  
11 be unlawfully transacting the business of insurance.

12 **Sec. 12. NEW SECTION. 522E.12 Policy forms.**

13 An insurer that provides insurance to be sold by a licensed  
14 portable electronics vendor shall file a copy of the policy  
15 form issued to a consumer, or of any policy or certificate  
16 issued under a group or master policy to an organization  
17 through an insurance producer licensed under chapter 522B  
18 or through a licensed portable electronics vendor, with the  
19 commissioner, who shall make the policy form available to the  
20 public.

21 **Sec. 13. NEW SECTION. 522E.13 Portable electronics**  
22 **insurance policy changes.**

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

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

1 summary of those changes.

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

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

11 a. Nonpayment of premium.

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

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

24 5. If a portable electronics insurance policy is terminated  
25 by the licensed portable electronics vendor that is the  
26 policyholder, the portable electronics vendor shall mail or  
27 deliver a written notice to each enrolled consumer advising  
28 the enrolled consumer of the termination of the policy and the  
29 effective date of termination. The written notice shall be  
30 mailed or delivered by the portable electronics vendor to the  
31 enrolled consumer at least thirty calendar days prior to the  
32 termination. However, if the notice is not sent within thirty  
33 calendar days, enrollment shall continue until thirty calendar  
34 days from the date the portable electronics vendor sends notice  
35 of termination to the enrolled consumer or until a new portable

1 electronics insurance policy is in effect.

2 6. Whenever notice or correspondence with respect to a  
3 policy of portable electronics insurance is required pursuant  
4 to this section, it shall be in writing and sent within the  
5 notice period required pursuant to this section. Notices  
6 and correspondence shall be sent to the licensed portable  
7 electronics vendor that is the policyholder at the portable  
8 electronics vendor's mailing address specified for that purpose  
9 and to its affected enrolled consumers' last known mailing  
10 addresses on file with the insurer or the portable electronics  
11 vendor. The insurer or portable electronics vendor shall  
12 maintain proof that the notice or correspondence was sent for  
13 not less than three years after that notice or correspondence  
14 was sent.

15 Sec. 14. NEW SECTION. 522E.14 Rules.

16 The commissioner shall adopt rules pursuant to chapter 17A  
17 to implement and administer this chapter.

18 Sec. 15. NEW SECTION. 522E.15 Other law.

19 Nothing in this chapter regulating the sale of portable  
20 electronics insurance shall be construed to impair or impede  
21 the application of any other law regulating the sale of  
22 portable electronics insurance.

23 Sec. 16. EFFECTIVE DATE. This Act takes effect January 1,  
24 2016.

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with  
27 the explanation's substance by the members of the general assembly.

28 This bill creates new Code chapter 522E for the purpose  
29 of regulating the sale of portable electronics insurance,  
30 including requiring licensure of portable electronics vendors  
31 to offer or sell portable electronics insurance, and providing  
32 for fees and penalties.

33 New Code chapter 522E defines "portable electronics" as  
34 devices that are personal, self-contained, easily carried by  
35 an individual, battery operated, and used for a variety of

1 specified purposes, and accessories or services related to  
2 the use of such devices. "Portable electronics insurance" is  
3 a contract providing coverage for the repair or replacement  
4 of portable electronics. Such insurance does not include a  
5 service contract or extended warranty or insurance covering  
6 a seller's or manufacturer's obligations under a warranty.  
7 A "portable electronics insurance license" issued by the  
8 commissioner of insurance authorizes a portable electronics  
9 vendor to offer or sell portable electronics insurance. A  
10 "portable electronics vendor" is a person in the business,  
11 directly or indirectly, of selling, reselling, soliciting, or  
12 leasing portable electronics, their accessories, and related  
13 services to consumers.

14 Persons are prohibited from offering or selling portable  
15 electronics insurance unless they are licensed as insurance  
16 producers under Code chapter 522B, are issued a portable  
17 electronics insurance license pursuant to the provisions of the  
18 bill, or are endorsees in compliance with the provisions of the  
19 bill. A portable electronics insurance license issued by the  
20 commissioner of insurance authorizes a portable electronics  
21 vendor and its endorsees, i.e., unlicensed employees or  
22 authorized representatives of the vendor, to offer or sell  
23 portable electronics insurance to consumers in connection with,  
24 and incidental to, the sale of portable electronics or the sale  
25 and provision of accessories or services related to the use of  
26 portable electronics.

27 A portable electronics vendor must file an application for a  
28 license to sell portable electronics insurance that includes a  
29 certificate by the insurer that the vendor is trustworthy and  
30 competent, and is accompanied by a fee of \$50 for each endorsee  
31 at a location of the vendor, or \$500 per location, whichever  
32 amount is less, with a maximum fee of \$5,000 for vendors with  
33 multiple locations. The bill also contains provisions for  
34 renewal of the license.

35 An endorsee of a licensed vendor may sell or offer portable

1 electronics insurance under the authority of the vendor's  
2 license if the endorsee is at least 18 years old; the vendor  
3 supplies a list with its license application of all locations  
4 at which insurance will be offered; the vendor provides for  
5 training of its endorsees about portable electronics insurance,  
6 ethical sales practices, required disclosures to prospective  
7 purchasers, and retraining about new products at least every  
8 three years; and the vendor maintains a list of endorsees who  
9 have completed training.

10 If the bill's provisions are violated by a licensed vendor or  
11 an endorsee, the commissioner may, after notice and a hearing,  
12 revoke or suspend the license, or impose other penalties  
13 including suspending authorization to sell the insurance at  
14 specific business locations where violations have occurred, and  
15 suspend or revoke the ability of individual endorsees to act  
16 under the vendor's license.

17 The commissioner may issue a cease and desist order against  
18 a person who sells insurance in connection with, or incidental  
19 to, the sale of portable electronics, or related accessories  
20 or services without obtaining the license required by the bill  
21 or being licensed as an insurance producer under Code chapter  
22 522B.

23 A licensed portable electronics vendor is prohibited from  
24 selling portable electronics insurance unless at the time of  
25 sale or enrollment in the insurance or within a reasonable  
26 time after a telephone transaction, the vendor makes specified  
27 disclosures and provides written information to the prospective  
28 customer that includes material terms and conditions of  
29 coverage; describes the claims process; discloses additional  
30 information about the policy; and provides information about  
31 the vendor.

32 Costs for the insurance must be separately itemized in any  
33 billing statement for the insurance, or, if the insurance is  
34 included with the purchase or lease of portable electronics  
35 and accessories or related services, the stand-alone cost for

1 similar insurance must be disclosed on the consumer's bill and  
2 in marketing materials available at the point of sale.

3 The sale of portable electronics insurance to a customer  
4 through a "free-trial offer" is prohibited.

5 Charges for portable electronics insurance may be billed  
6 and collected by a licensed portable electronics vendor. The  
7 vendor is not required to segregate those moneys if the insurer  
8 provides that such segregation is not necessary, but such  
9 moneys are considered moneys held in trust by the vendor in a  
10 fiduciary capacity for the benefit of the insurer. Vendors may  
11 receive compensation for billing and collection services.

12 A licensed portable electronics vendor is prohibited from  
13 offering to sell insurance except in conjunction with and  
14 incidental to the business of selling portable electronics and  
15 related services and accessories; advertising or representing  
16 itself or its endorsees as licensed insurers or property and  
17 casualty broker-agents; paying an endorsee compensation based  
18 primarily on the number of customers that purchase portable  
19 electronics insurance, except that incidental compensation for  
20 such transactions is allowed; or transacting the business of  
21 any insurance other than portable electronics insurance.

22 An insurer that issues portable electronics insurance must  
23 file a copy of the policy forms used with the commissioner, who  
24 shall make the forms available to the public.

25 The bill specifies termination and notice provisions for  
26 portable electronics insurance.

27 Whenever notice or correspondence related to notice is  
28 required, the notice must be in writing and sent within the  
29 required notice period. Notices and correspondence must be  
30 sent to the licensed vendor that is the policyholder at the  
31 mailing address specified for that purpose and to the last  
32 known mailing addresses on file for affected consumers. The  
33 insurer or the vendor shall maintain proof that the notice or  
34 correspondence was sent for not less than three years.

35 The commissioner of insurance is required to adopt rules to



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1 implement and administer new Code chapter 522E.

2     Nothing in new Code chapter 522E regulating the sale of  
3 portable electronics insurance shall be construed to impair or  
4 impede the application of any other law regulating the sale of  
5 such insurance.

6     New Code chapter 522E takes effect January 1, 2016.