

Amendment No.

CHAMBER ACTION

Senate

House

1 Representative(s) Kravitz offered the following:

2
3 **Substitute Amendment for Amendment (375235)**

4 Remove line(s) 46-59 and insert:

5 h. Insurance covering communications insurance when the
6 insurance is included at no additional charge with the purchase
7 of a service contract and the service contract is not available
8 separately and when the person paying for the insurance:

9 (I) Has an ongoing contractual interest or other economic
10 interest in the communications equipment;

11 (II) Requires the communications equipment to deliver its
12 services;

13 (III) Discloses the cost of the insurance at the time the
14 communications equipment is sold;

15 (IV) Provides the insurance to every person who purchases
16 a service warranty contract on the equipment and does not

698659

4/25/2007 4:57:36 PM

Amendment No.

17 provide the insurance to anyone who does not purchase a service
18 warranty contract on the equipment;

19 (V) Discloses in writing the premium paid to the insurer
20 for the insurance, on a monthly basis for each item, to the
21 covered customer at the time the communications equipment is
22 sold and on the monthly bill provided to the covered customer;

23 (VI) Provides the insurance at no additional cost to every
24 person who purchases a service warranty contract on the
25 equipment and discloses to each customer to which a service
26 warranty contract is offered that the insurance is available
27 separately to anyone who does not purchase a service warranty
28 contract on the equipment for the same monthly premium disclosed
29 pursuant to sub-sub-subparagraph (III);

30 (VII) Provides to each insured a separate certificate or
31 policy of insurance that includes the name, address and toll-
32 free telephone number of the insurer and instructions for
33 filing a claim under the certificate or policy of insurance; and

34
35 For purposes of this sub-subparagraph, the term "communications
36 equipment" means handsets, pagers, or personal digital
37 assistants used to originate or receive communications signals
38 or service.

39 4. An officer of the service warranty association
40 certifies, under oath, annually to the Office of Insurance
41 Regulation that the retail charge for the service warranty
42 contract described in sub-sub-subparagraph (IV) does not include
43 any cost or charge for the insurance provided under this sub-
44 subparagraph.

698659

4/25/2007 4:57:36 PM

HOUSE AMENDMENT

Bill No. CS/HB 1473

Amendment No.

45 5. Service warranty contract fees may not be used in any
46 manner to directly or indirectly fund the cost of claims under
47 the insurance certificate or policy.

48 ~~6.4.~~ Using the word "free" or words which imply the

698659

4/25/2007 4:57:36 PM