



558652

LEGISLATIVE ACTION

Senate

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House

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The Committee on Judiciary (Ring) recommended the following:

1           **Senate Amendment to Amendment (142260) (with title**  
2 **amendment)**

3  
4           Delete lines 38 - 66

5 and insert:

6           627.422 Assignment of policies.-

7           (1) Except as provided in subsection (2), a policy may be  
8 assignable, or not assignable, as provided by its terms. Subject  
9 to its terms relating to assignability, any life or health  
10 insurance policy under the terms of which the beneficiary may be  
11 changed upon the sole request of the policyowner may be assigned



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12 either by pledge or transfer of title, by an assignment executed  
13 by the policyowner alone and delivered to the insurer,  
14 regardless of whether ~~or not~~ the pledgee or assignee is the  
15 insurer. Any such assignment entitles ~~shall entitle~~ the insurer  
16 to deal with the assignee as the owner or pledgee of the policy  
17 in accordance with the terms of the assignment, until the  
18 insurer has received at its home office written notice of  
19 termination of the assignment or pledge or written notice by or  
20 on behalf of some other person claiming some interest in the  
21 policy in conflict with the assignment.

22 (2) A residential property insurance policy may not  
23 restrict a policyowner's post-loss assignment of benefits and  
24 must contain a notice that includes the following statement in  
25 at least 12-point, boldfaced, uppercase type: AS THE INSURED,  
26 YOU HAVE A LEGAL CONTRACTUAL RIGHT TO ASSIGN YOUR POST-LOSS  
27 BENEFITS FOR NEEDED REPAIRS OR REPLACEMENT OF DAMAGED PROPERTY.

28 (3) Upon an assignment of benefits, a policyowner may not  
29 be held liable for billing and payment disputes between an  
30 insurer and the assignee if the reason for the repairs or  
31 replacement of damaged property is found by the insurer or a  
32 court of competent jurisdiction to be covered under the policy.

33  
34 ===== T I T L E A M E N D M E N T =====

35 And the title is amended as follows:

36 Delete lines 80 - 84

37 and insert:

38 prohibiting a residential property insurance policy  
39 from restricting a policyowner's post-loss assignment  
40 of benefits; requiring such policy to contain a



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41 specified disclosure statement regarding the  
42 policyowner's right to assign certain post-loss  
43 benefits; providing that a policyowner may not be held  
44 liable for certain billing and payment disputes;  
45 providing an effective date.