

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 1359

102ND GENERAL ASSEMBLY
2024

5286H.07T

AN ACT

To repeal sections 95.280, 95.285, 95.355, 205.160, 205.165, 205.190, 208.151, 303.425, 303.430, 303.440, 361.700, 361.705, 361.707, 361.711, 361.715, 361.718, 361.720, 361.723, 361.725, 361.727, 362.245, 362.1010, 362.1015, 362.1030, 362.1035, 362.1040, 362.1055, 362.1060, 362.1085, 362.1090, 362.1095, 362.1100, 362.1105, 362.1110, 362.1115, 362.1116, 362.1117, 374.190, 375.020, 376.427, 376.1345, 379.1640, 408.035, 408.140, 442.210, and 456.950, RSMo, and to enact in lieu thereof eighty-four new sections relating to financial institutions, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 95.280, 95.285, 95.355, 205.160,
2 205.165, 205.190, 208.151, 303.425, 303.430, 303.440, 361.700,
3 361.705, 361.707, 361.711, 361.715, 361.718, 361.720, 361.723,
4 361.725, 361.727, 362.245, 362.1010, 362.1015, 362.1030,
5 362.1035, 362.1040, 362.1055, 362.1060, 362.1085, 362.1090,
6 362.1095, 362.1100, 362.1105, 362.1110, 362.1115, 362.1116,
7 362.1117, 374.190, 375.020, 376.427, 376.1345, 379.1640,
8 408.035, 408.140, 442.210, and 456.950, RSMo, are repealed and
9 eighty-four new sections enacted in lieu thereof, to be known
10 as sections 110.075, 205.160, 205.165, 205.190, 208.151,
11 303.425, 303.430, 303.440, 361.900, 361.903, 361.906, 361.909,
12 361.912, 361.915, 361.918, 361.921, 361.924, 361.927, 361.930,
13 361.933, 361.936, 361.939, 361.942, 361.945, 361.948, 361.951,

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

14 361.954, 361.957, 361.960, 361.963, 361.966, 361.969, 361.972,
15 361.975, 361.978, 361.981, 361.984, 361.987, 361.990, 361.996,
16 361.999, 361.1002, 361.1005, 361.1008, 361.1011, 361.1014,
17 361.1017, 361.1020, 361.1023, 361.1026, 361.1029, 361.1032,
18 361.1035, 362.245, 362.1010, 362.1015, 362.1030, 362.1035,
19 362.1040, 362.1055, 362.1060, 362.1085, 362.1090, 362.1095,
20 362.1100, 362.1105, 362.1110, 362.1115, 362.1116, 362.1117,
21 374.190, 374.192, 375.020, 375.1183, 376.427, 376.1345,
22 379.1640, 380.621, 380.631, 408.035, 408.140, 427.300, 442.210,
23 and 456.950, to read as follows:

**110.075. 1. As used in this section, the following
2 terms shall mean:**

3 (1) "Depository", banking institution headquartered in
4 or maintaining a full-service branch in this state which is
5 selected by a municipality to hold and manage public funds;

6 (2) "Governing body", any city council, board of
7 aldermen, or board of trustees;

8 (3) "Municipal depositories", any state-chartered or
9 federally chartered banking institution as defined in
10 Article IV, Section 15 of the Constitution of Missouri;

11 (4) "Municipality", any city or village in this state;

12 (5) "Public funds", funds owned or controlled by a
13 municipality, including tax revenues, fees, grants, and
14 other sources of income.

15 2. All municipalities shall select depositories
16 through a competitive process in accordance with the
17 provisions in this section. The governing body of each
18 municipality shall develop and publish a request for
19 proposals which shall outline the requirements for selecting
20 one or more municipal depositories. Such requirements shall
21 address or include the following matters:

11 retention period specified in section 374.205 shall not be
12 subject to request or review by the director unless the
13 director has substantial and competent evidence that the
14 regulated entity has willfully engaged in an act or omission
15 constituting a level four or five violation of the laws of
16 this state relating to insurance, including this chapter,
17 chapter 354, and chapters 375 to 385, or has been convicted
18 of any felony related to the business of insurance, in which
19 case the director may request or review records or documents
20 maintained beyond the record retention period specified in
21 section 374.205 that directly relate to the violation or
22 conviction.

23 3. A regulated entity may establish its own internal
24 standards, practices, methods, or procedures that are the
25 same as or exceed the requirements set forth by law or
26 rule. The department shall not impose any civil penalty,
27 forfeiture, or order on a regulated entity solely for
28 failing to comply with its own internal standards,
29 practices, methods, or procedures unless such failure also
30 violates a law or rule.

375.020. 1. Beginning January 1, 2008, each insurance
2 producer, unless exempt pursuant to section 375.016,
3 licensed to sell insurance in this state shall successfully
4 complete courses of study as required by this section. Any
5 person licensed to act as an insurance producer shall,
6 during each two years, attend courses or programs of
7 instruction or attend seminars equivalent to a minimum of
8 sixteen hours of instruction. Of the sixteen hours'
9 training required in this subsection, the hours need not be
10 divided equally among the lines of authority in which the
11 producer has qualified. The courses or programs attended by
12 the producer during each two-year period shall include

13 instruction on Missouri law, products offered in any line of
14 authority in which the producer is qualified, producers'
15 duties and obligations to the department, and business
16 ethics, including sales suitability. Course credit shall be
17 given to members of the general assembly as determined by
18 the department.

19 2. Subject to approval by the director, the courses or
20 programs of instruction which shall be deemed to meet the
21 director's standards for continuing educational requirements
22 shall include, but not be limited to, the following:

- 23 (1) American College Courses (CLU, ChFC);
- 24 (2) Life Underwriters Training Council (LUTC);
- 25 (3) Certified Insurance Counselor (CIC);
- 26 (4) Chartered Property and Casualty Underwriter (CPCU);
- 27 (5) Insurance Institute of America (IIA);
- 28 (6) Any other professional financial designation
29 approved by the director by rule;

30 (7) An insurance-related course taught by an
31 accredited college or university or qualified instructor who
32 has taught a course of insurance law at such institution;

33 (8) A course or program of instruction or seminar
34 developed or sponsored by any authorized insurer, recognized
35 producer association or insurance trade association, or any
36 other entity engaged in the business of providing education
37 courses to producers. A local producer group may also be
38 approved if the instructor receives no compensation for
39 services.

40 3. A person teaching any approved course of
41 instruction or lecturing at any approved seminar shall
42 qualify for the same number of classroom hours as would be
43 granted to a person taking and successfully completing such
44 course, seminar or program.

45 4. Excess hours accumulated during any two-year period
46 may be carried forward to the two-year period immediately
47 following the two-year period in which the course, program
48 or seminar was held.

49 5. For good cause shown, the director may grant an
50 extension of time during which the educational requirements
51 imposed by this section may be completed, but such extension
52 of time shall not exceed the period of one calendar year.
53 The director may grant an individual waiver of the mandatory
54 continuing education requirement upon a showing by the
55 licensee that it is not feasible for the licensee to satisfy
56 the requirements prior to the renewal date. Waivers may be
57 granted for reasons including, but not limited to:

- 58 (1) Serious physical injury or illness;
- 59 (2) Active duty in the armed services for an extended
60 period of time;
- 61 (3) Residence outside the United States; or
- 62 (4) The licensee is at least seventy years of age.

63 6. Every person subject to the provisions of this
64 section shall furnish in a form satisfactory to the
65 director, written certification as to the courses, programs
66 or seminars of instruction taken and successfully completed
67 by such person. Every provider of continuing education
68 courses authorized in this state shall, within thirty
69 working days of a licensed producer completing its approved
70 course, provide certification to the director of the
71 completion in a format prescribed by the director.

72 7. The provisions of this section shall not apply to
73 those natural persons holding licenses for any kind or kinds
74 of insurance for which an examination is not required by the
75 law of this state, nor shall they apply to any limited lines

76 insurance producer license or restricted license as the
77 director may exempt.

78 8. The provisions of this section shall not apply to a
79 life insurance producer who is limited by the terms of a
80 written agreement with the insurer to transact only specific
81 life insurance policies having an initial face amount of
82 ~~[fifteen]~~ **twenty** thousand dollars or less, or annuities
83 having an initial face amount of ~~[fifteen]~~ **twenty** thousand
84 dollars or less, that are designated by the purchaser for
85 the payment of funeral or burial expenses. The director may
86 require the insurer entering into the written agreements
87 with the insurance producers pursuant to this subsection to
88 certify as to the representations of the insurance producers.

89 9. Rules and regulations necessary to implement and
90 administer this section shall be promulgated by the
91 director, including, but not limited to, rules and
92 regulations regarding the following:

93 (1) Course content and hour credits: the insurance
94 advisory board established by section 375.019 shall be
95 utilized by the director to assist him in determining
96 acceptable content of courses, programs and seminars to
97 include classroom equivalency;

98 (2) Filing fees for course approval: every applicant
99 seeking approval by the director of a continuing education
100 course under this section shall pay to the director a filing
101 fee of fifty dollars per course. Fees shall be waived for
102 state and local insurance producer groups. Such fee shall
103 accompany any application form required by the director.
104 Courses shall be approved for a period of no more than one
105 year. Applicants holding courses intended to be offered for
106 a longer period must reapply for approval. Courses approved
107 by the director prior to August 28, 1993, for which

108 continuous certification is sought should be resubmitted for
109 approval sixty days before the anniversary date of the
110 previous approval.

111 10. All funds received pursuant to the provisions of
112 this section shall be transmitted by the director to the
113 department of revenue for deposit in the state treasury to
114 the credit of the insurance dedicated fund. All
115 expenditures necessitated by this section shall be paid from
116 funds appropriated from the insurance dedicated fund by the
117 legislature.

375.1183. 1. **Contracts reinsuring policies of life or
2 health insurance or annuities referred to in section
3 375.1178 issued by a ceding insurer that has been placed in
4 conservation or rehabilitation proceedings under sections
5 375.1150 to 375.1246 shall be continued or terminated under
6 the terms and conditions of each contract and the provisions
7 of this section.**

8 2. **Contracts reinsuring policies of life or health
9 insurance or annuities referred to in section 375.1178
10 issued by a ceding insurer that has been placed into
11 liquidation under sections 375.1150 to 375.1246 shall be
12 continued, subject to the provisions of this section, unless:**

13 (1) **The contracts were terminated pursuant to their
14 terms prior to the date of the order of liquidation; or**

15 (2) **The contracts were terminated pursuant to the
16 order of liquidation, in which case the provisions of
17 subsection 9 of this section shall apply.**

18 3. (1) **At any time within one hundred eighty days of
19 the date of the order of liquidation, a guaranty association
20 covering policies of life or health insurance or annuities
21 referred to in section 375.1178, in whole or in part, may
22 elect to assume the rights and obligations of the ceding**