

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1161

S.P. 382

In Senate, March 23, 2017

An Act To Amend the Insurance Laws Governing the Provision of Rebates

Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator DOW of Lincoln.
Cosponsored by Representative COLLINGS of Portland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 24-A MRSA §2160, sub-§3** is enacted to read:

3 **3. Services for free or less than fair market value.** This section does not prohibit a
4 person from offering or providing services, whether or not the services are directly related
5 to an insurance contract, for free or for less than fair market value as long as the receipt of
6 the services is not contingent upon the purchase of insurance. A person that offers or
7 provides services under this subsection for free or less than fair market value shall
8 conspicuously disclose to the recipient before the purchase of insurance, receipt of a
9 quote for insurance or designation of an agent of record that receipt of the services is not
10 contingent on the purchase of insurance. A person may comply with this subsection by
11 an oral or written disclosure.

12 **SUMMARY**

13 This bill amends the laws regarding rebates under life, health and annuity contracts
14 and prohibiting unfair discrimination and rebates by property, casualty and surety insurers
15 to allow a person to offer or provide services, whether or not the services are directly
16 related to an insurance contract, for free or for less than fair market value as long as the
17 receipt of the services is not contingent upon the purchase of insurance. It also requires a
18 written or oral disclosure to be made to the recipient of the services that the services are
19 not contingent on the purchase of insurance.