

**Title 20—DEPARTMENT OF  
COMMERCE AND INSURANCE  
Division 500—Property and Casualty  
Chapter 1—Property and Casualty  
Insurance in General**

**PROPOSED AMENDMENT**

**20 CSR 500-1.100 Standard Fire Policies.** The department is amending paragraph (2)(A)3.

*PURPOSE: This amendment implements changes required as a result of section 379.150, RSMo, as amended by HB 604 (2021).*

(2) Mandated Changes to Standard Fire Policy.

(A) These provisions shall apply to all fire insurance policies issued or renewed pursuant to sections 375.001–375.008, 379.160 and 379.810–379.880, RSMo after August 7, 1964:

1. That portion of the 1943 Standard Fire Insurance Policy for New York which gives “the insured five (5) days’ written notice of cancellation” on line 62 of the policy form shall be given no effect where contained within a policy designated as the “Standard Fire Insurance Policy for Missouri” insuring property located in this state, except as stated in paragraph (2)(A)2. of this regulation.

2. The language in the 1943 Standard Fire Insurance Policy for New York contained in lines 60–67 shall be superseded with the following language printed anywhere on this policy or amendatory endorsement: “This policy may be canceled, not renewed, reduced in amount or adversely modified at any time by the company by giving to the insured thirty (30) days’ written notice of such action with or without tender of the excess of paid premium above the *pro rata* premium for the expired time, which excess, if not tendered, shall be refunded on demand. Only ten (10) days notice is required where such action is based upon non-payment of premium or evidence of incendiarism by the insured.”

3. The language in lines 141–147 of the 1943 Standard Fire Insurance Policy for New York relating to “company’s options” shall be superseded by *[the following or equivalent language: “Upon partial destruction or damage to insured property, this company shall pay the insured a sum of money equal to the damage done or repair the same to the extent of such damage, not exceeding the amount written in the policy, so that said property shall be in as good condition as before the fire, at the option of the insured, pursuant to section 379.150, RSMo (1986)]* **the language quoted in section 379.150, RSMo Supp. 2021, or by other language that provides coverage for a partial loss caused by fire in a policy form determined and approved by the director to be at least as favorable to the insured as the standard fire insurance policy for Missouri.[”]**

4. The language in lines 123–140 of the 1943 Standard Fire Insurance Policy of New York relating to “appraisal” shall be superseded by the following or equivalent language: “In case the insured and this company shall fail to agree as to the actual cash value or the amount of loss, then, on the written demand of either, each shall select a competent and disinterested appraiser and notify the other of the appraiser selected within twenty (20) days of such demand. The appraisers shall first select a competent and disinterested umpire; and failing for fifteen (15) days to agree upon such umpire, then, on request of the insured or this company, such umpire shall be selected by a judge of a court of record in the state and county (or city if the city is not within a county) in which the property covered is located. The appraisers shall then appraise the loss, stating separately actual cash value and loss to each item; and, failing to agree, shall submit their differences, only, to the umpire. The umpire shall make the award within thirty (30) days after the umpire receives the appraisers’ submissions of their differences. An award in writing, so itemized, of any two (2) when filed with this company shall determine the amount of actual cash value and loss. Each appraiser shall be paid by the party selecting such appraiser and the expenses of appraisal and umpire shall be paid by the parties equally.”

*AUTHORITY: sections 374.045[, 379.150, 379.160] and 379.840, RSMo [2000] 2016, and sections 379.150 and 379.160, RSMo Supp. 2021. \* This rule was previously filed as 4 CSR 190-16.060. This version of rule filed July 27, 1964, effective Aug. 7, 1964. Amended: Filed June 12, 1970, effective July 1, 1970. Amended: Filed Dec. 23, 1975, effective Jan. 2, 1976. Amended: Filed Feb. 10, 1978, effective June 11, 1978. Amended: Filed March 16, 1988, effective June 13, 1988. Amended: Filed Dec. 15, 1998, effective July 30, 1999. Amended: Filed April 23, 1999, effective Nov. 30, 1999. Amended: Filed July 12, 2002, effective Jan. 30, 2003. Amended: Filed November 10, 2021.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Commerce and Insurance, Attention: Josh Wille, PO Box 690, Jefferson City, Missouri 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. A public hearing is scheduled for 10:00 a.m. on January 19, 2022, at the Missouri Department of Commerce and Insurance, Room 530, 301 West High Street, Jefferson City, Missouri 65101.*