

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 3291

(SENATE AUTHORS: DAHMS)

DATE
04/07/2025

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Introduction and first reading
Referred to Commerce and Consumer Protection

OFFICIAL STATUS

- 1.1 A bill for an act
- 1.2 relating to insurance; modifying notice provisions governing surplus lines brokers;
- 1.3 amending Minnesota Statutes 2024, section 60A.201, subdivision 2, by adding a
- 1.4 subdivision.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2024, section 60A.201, subdivision 2, is amended to read:
- 1.7 Subd. 2. **Availability of other coverage; presumption.** There shall be a rebuttable
- 1.8 presumption that the following coverages are available from a licensed insurer:
- 1.9 ~~(a)~~ (1) all mandatory automobile insurance coverages required by chapter 65B;
- 1.10 ~~(b)~~ (2) private passenger automobile physical damage coverage;
- 1.11 ~~(c) homeowners and property insurance on owner-occupied dwellings whose value is~~
- 1.12 ~~less than \$500,000. This figure shall be changed annually by the commissioner by the same~~
- 1.13 ~~percentage as the Consumer Price Index for the Minneapolis-St. Paul Metropolitan Area is~~
- 1.14 ~~changed;~~
- 1.15 ~~(d)~~ (3) any coverage readily available from three or more licensed insurers unless the
- 1.16 licensed insurers quote a premium and terms not competitive with a premium and terms
- 1.17 quoted by an eligible surplus lines insurer; and
- 1.18 ~~(e)~~ (4) workers' compensation insurance, except excess workers' compensation insurance
- 1.19 which is not available from the Workers' Compensation Reinsurance Association.

2.1 Sec. 2. Minnesota Statutes 2024, section 60A.201, is amended by adding a subdivision to
2.2 read:

2.3 Subd. 7. **FAIR plan coverage; notice.** If the insurance placed by the surplus lines broker
2.4 with a nonadmitted insurer is homeowners or property insurance on an owner-occupied
2.5 dwelling, the broker must print, type, or stamp in not less than ten-point type on the face of
2.6 the policy the following notice: "YOU MAY BE ELIGIBLE FOR COVERAGE THROUGH
2.7 THE MINNESOTA FAIR PLAN, WHICH MAKES AVAILABLE PROPERTY AND
2.8 LIABILITY COVERAGE, AS DEFINED BY THE MINNESOTA FAIR PLAN ACT, TO
2.9 QUALIFIED APPLICANTS WHO HAVE BEEN UNABLE TO SECURE PROPERTY
2.10 AND LIABILITY INSURANCE THROUGH THE NORMAL INSURANCE MARKETS."
2.11 The notice under this subdivision must not be covered or concealed in any manner, and is
2.12 in addition to the notice required under section 60A.207 or 60A.209.