

S.F. No. 26, 1st Engrossment - 87th Legislative Session (2011-2012) [S0026-1]

2.1 if the insurer retains an audio recording of the notification provided to the applicant. An
2.2 insurer shall advise the applicant of the availability of a written disclosure statement.

2.3 Subd. 3. **Disclosure to policyholders.** An insurer or its agent shall mail or deliver a
2.4 disclosure statement or written notice of the statement's availability on the insurer's Web
2.5 site to the named insured either before or with the first notice to renew a policy on or after
2.6 January 1, 2012. If a disclosure statement or written Web site notice has been provided
2.7 under subdivision 2, no disclosure statement is required to be mailed or delivered to the
2.8 same named insured under this subdivision.

2.9 Subd. 4. **Notification of change.** No insurer may change its surcharge plan unless a
2.10 disclosure statement or written notice of the statement's availability on the insurer's Web
2.11 site is mailed or delivered to the named insured before the change is made. A disclosure
2.12 statement reflecting a change applicable on the renewal of a policy may be mailed with an
2.13 offer to renew the policy. Surcharges cannot be applied to claims that occurred before a
2.14 change in a surcharge plan except to the extent provided under the prior plan.

2.15 Subd. 5. **Penalty.** Failure to comply with this section constitutes a violation of
2.16 section 70A.04.