

## CHAPTER 72A

PROHIBITIONS; PENALTIES; REGULATION OF  
TRADE PRACTICES

72A.20 Methods, acts and practices which are  
defined as unfair or deceptive.  
72A.321 Repealed.

72A.325 Insurance for funeral or burial expense;  
freedom of choice.

**72A.20 METHODS, ACTS AND PRACTICES WHICH ARE DEFINED AS  
UNFAIR OR DECEPTIVE.**

*[For text of subds 1 to 14, see M.S.1980]*

Subd. 15. **Practices not held to be discrimination or rebates.** Nothing in subdivisions 8 and 10, or in section 72A.12, subdivisions 3 and 4, shall be construed as including within the definition of discrimination or rebates any of the following practices:

(1) In the case of any contract of life insurance or annuity, paying bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from nonparticipating insurance, provided that any bonuses or abatement of premiums shall be fair and equitable to policyholders and for the best interests of the company and its policyholders;

(2) In the case of life insurance policies issued on the industrial debit plan, making allowance, to policyholders who have continuously for a specified period made premium payments directly to an office of the insurer, in an amount which fairly represents the saving in collection expense;

(3) Readjustment of the rate of premium for a group insurance policy based on the loss or expense experienced thereunder, at the end of the first or any subsequent policy year of insurance thereunder, which may be made retroactive only for such policy year.

**History:** *1Sp1981 c 4 art 2 s 7*

**72A.321** [Repealed, 1981 c 129 s 2]

**72A.325 INSURANCE FOR FUNERAL OR BURIAL EXPENSE; FREEDOM  
OF CHOICE.**

No insurance company doing business in this state providing benefits for the payment of any funeral or burial expense, shall designate any mortician, funeral director, funeral establishment, cemetery, or any other party offering funeral or burial services or supplies, as the beneficiary or recipient of the benefits, so as to deprive the family, next of kin, or other representative of the deceased policyholder of the right to select the funeral or burial services and supplies of their choice. No owner, director, or employee of a funeral establishment shall receive any agent's fee, commission or other reimbursement on any insurance sale facilitated through the funeral establishment.

No owner, director or employee of a funeral establishment, nor trade association of funeral establishments shall receive any fee for endorsing insurance policies, plans or services. A trade association may not receive payment other than reimbursement for reasonable expenses of administering such a policy or services.

**History:** *1981 c 129 s 1*