



OLR RESEARCH REPORT

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PORTABLE ELECTRONICS INSURANCE

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You asked for (1) a list of states that have laws regulating portable electronics insurance (i.e., insurance coverage for repairing or replacing lost, stolen, or damaged portable electronic devices); (2) a general description of these laws; and (3) an overview of Connecticut's proposed bill, [SB 597](#) of the 2013 legislative session.

SUMMARY

Based on an online search using Westlaw, it appears that 40 states and the District of Columbia regulate portable electronics insurance (see Table 1). Ten states do not: Alaska, Connecticut, Iowa, Maine, Massachusetts, Montana, New York, North Dakota, Texas, and Wyoming.

The laws generally require a vendor (i.e., a seller of portable electronics) who wants to offer or sell portable electronics insurance to obtain an insurance license and provide certain disclosures to consumers about the insurance product. The customers must be told (1) that portable electronics insurance may duplicate coverage provided under a customer's homeowners insurance policy or similar coverage; (2) that enrollment in portable electronics insurance is not required to purchase or lease portable electronics; and (3) the material terms of the insurance, including how to file a claim and cancel coverage. The laws also authorize the vendor's employees to sell portable electronics insurance without being licensed as an insurance producer, as long as the vendor is properly licensed and the employees are supervised and trained on the insurance.

In 2013, the Connecticut legislature considered a bill to regulate portable electronics insurance. [SB 597](#) passed the Senate, but died on the House calendar. Similar to the laws in other states, [SB 597](#) would have established licensing and regulatory requirements for portable electronics insurance.

[SB 597](#) required a seller (i.e., one who leases or sells portable electronics) who wants to offer or sell portable electronics insurance in Connecticut to first obtain a license from the insurance commissioner. The bill (1) required sellers to provide disclosures about the insurance to prospective buyers and (2) allowed buyers, insurers, and sellers to cancel coverage under certain conditions. It established the following fees: \$100 for filing an application for an initial license, \$500 for the initial two-year license, and \$450 for a license renewal every two years. The bill also exempted specified portable electronics insurance claims employees from the casualty claims adjuster licensing requirements.

[SB 597](#) defined “portable electronics insurance” as insurance coverage for repairing or replacing a portable electronic device due to loss, theft, mechanical failure, malfunction, damage, or other similar causes of loss. It excluded an extended warranty; an insurance policy covering a seller’s or manufacturer’s obligations under a warranty; and a homeowners, renters, or other insurance policy that includes similar coverage.

It defined a “portable electronic device” as any self-contained, easily carried, battery-operated electronic equipment for personal use for communicating, viewing, listening, recording, playing video games, computing, or global positioning. It included a cellular or satellite telephone, paging device, personal global positioning system unit, portable computer, audio listening or recording device, digital camera, portable video game system, telephone answering machine, docking or charging station for a portable electronic device, and similar devices. It also included accessories for and services related to the use of such devices.

OTHER STATES

Forty states and the District of Columbia regulate portable electronics insurance. Table 1 lists these jurisdictions and the related statutory citation.

Table 1: Portable Electronics Insurance Laws

STATE	STATUTORY CITATION
Alabama	Ala. Code § 27-22A-1, et seq.
Arizona	Ariz. Rev. Stat. Ann. § 20-1693, et seq.
Arkansas	Ark. Code Ann. § 23-88-5-1, et seq.
California	Cal. Ins. Code § 1758.6, et seq.
Colorado	Colo. Rev. Stat. Ann. § 10-4-1501, et seq.
Delaware	Del. Code Ann. tit. 18, § 2050, et seq.
District of Columbia	D.C. Code Ann. § 31-5-51.01, et seq.
Florida	Fla. Stat. Ann. §§ 626.321(1)(h) and 626.8685
Georgia	Ga. Code Ann. § 33-23-12(d)
Hawaii	Haw. Rev. Stat. § 431:31-101, et seq.
Idaho	Idaho Code § 41-1081, et seq.
Illinois	215 Ill. Comp. Stat. Ann. 136/1, et seq.
Indiana	Ind. Code § 27-1-15.9-1, et seq.
Kansas	Kan. Stat. Ann. § 40-5601, et seq.
Kentucky	Ky. Rev. Stat. Ann. § 304.9-780, et seq.
Louisiana	La. Rev. Stat. Ann. § 22:1781.1, et seq.
Maryland	Md. Code Ann. §§ 10-701, et seq. and 19-901, et seq.
Michigan	Mich. Comp. Laws Ann. §§ 500.1202 and 500.1222
Minnesota	Minn. Stat. Ann. § 60K.381
Mississippi	Miss. Code Ann. § 83-73-1, et seq.
Missouri	Mo. Rev. Stat. § 379.1500, et seq.
Nebraska	Neb. Rev. Stat. Ann. § 44-8501, et seq.
Nevada	Nev. Rev. Stat. Ann. § 691D.010, et seq.
New Hampshire	N.H. Rev. Stat. Ann. § 402-K:1, et seq.
New Jersey	N.J. Stat. Ann. § 17:22a-49, et seq.
New Mexico	N.M. Stat. Ann. §§ 59A-12-18 and 59A-13-2
North Carolina	N.C. Gen. Stat. § 58-44a-1, et seq.
Ohio	Ohio Rev. Code Ann. § 3905.062
Oklahoma	Okla. Stat. Ann. tit. 36, § 6670, et seq.
Oregon	Or. Rev. Stat. § 646A.575, et seq.
Pennsylvania	40 Pa. Cons. Stat. Ann. § 4201, et seq.
Rhode Island	R.I. Gen. Laws § 27-2.7-1, et seq.
South Carolina	S.C. Code Ann. § 39-97-10, et seq.
South Dakota	S.D. Codified Laws § 58-47-1, et seq.
Tennessee	Tenn. Code Ann. § 56-6-1101, et seq.
Utah	Utah Code Ann. § 31A-22-1801, et seq.
Vermont	Vt. Stat. Ann. tit. 8, § 4257, et seq.
Virginia	Va. Code Ann. § 38.2-1875, et seq.
Washington	Wash. Rev. Code Ann. § 48.120.020
West Virginia	W. Va. Code Ann. § 33-12-32a
Wisconsin	Wis. Stat. Ann. § 632.975

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