**NOTICE OF EFFECTIVE DATES**

*\*More information on the bill and its impact can be found in the appropriate newsletter.*

**Consumer and Home Goods**

**Delaware SB 125: Automatic renewal September 21, 2023**

This bill makes technical corrections to various sections of the Delaware code including the automatic renewal law passed in 2021. The bill also adds that a contract offered online must include an online cancellation method. It also clarifies that a consumer may, but is not required, to void a contract in violation of this section.

**Connecticut HB 5314: Automatic Renewal October 1, 2023**

This bill aims to ensure that businesses that use automatic renewal or continuous service provisions in consumer agreements provide clear information to consumers before entering into the agreement and allow for online termination. It also requires businesses to notify consumers before making any changes to these provisions and obtain the consumer's consent for automatic renewal. Furthermore, the bill mandates that businesses providing electronic billing must provide free paper copies upon consumer request.

**Montana HB 668: Service Contracts October 1, 2023**

This bill in Montana expands the definition of service contracts to include vehicle protection products and incorporates them into the existing regulatory framework. It also includes disclosure requirements and grants enforcement authority to the Department of Justice, without requiring licensing or registration.

**Connecticut SB 1058: Consumer Protection, Robocalls October 1, 2023**

Telemarketers will only be allowed to call consumers who have given their written consent, regardless of whether they are on a Do-Not-Call list or not. The bill, however, includes several exemptions, such as calls in response to a request or inquiry, to recent customers, for debt collection, or from nonprofits to their listed members.

**Nevada SB 436: Network Adequacy October 1, 2023**

This bill amends Chapter 690C of the Nevada Revised Statutes regarding Service Contracts, specifically the new section that reads as follows: Providers must have a sufficient network or workforce to fulfill their service contract obligations, such as repairing or replacing goods in a timely manner and If a provider fails to meet these obligations, the holder has the right to be reimbursed for any reasonable costs incurred to fix or maintain the goods.

 **New Hampshire SB 31: Service Contracts October 1, 2023**

The bill is a technical change to the laws administered by the insurance department and amends the current insurance law by adding to the section regarding third party administrators to include an alternative to providing a positive net worth. Additionally, it would still exempt licensed insurers from the various requirements to do business for service guarantee providers, but not registration.

**Oklahoma SB 593: Automobile Franchise Laws November 1, 2023**

This bill prevents manufacturers from penalizing auto dealers for a customer's failure to comply with title and registration laws when they have already paid a claim. It also corrects a spelling error in the term "charge back" to "chargeback" throughout the statute.

**Georgia HB 528: Online Automatic Renewal Transparency January 1, 2024**

The "Georgia Online Automatic Renewal Transparency Act" is added to a section of the law that deals with deceptive practices and it regulates businesses that offer online subscriptions with automatic renewals, requiring them to provide clear and easy cancellation options either through a direct link or button on the website or through a cancellation email that doesn't require additional steps.

**Illinois SB 328: Service Contract Automatic Renewal January 1, 2024**

This bill amends the Automatic Contract Renewal Act to require clear and conspicuous disclosure of automatic contract renewals and consent from consumers before charging their payment methods. The Act does not apply to specific contracts for the sale of products or services by certain providers or parties regulated by the Director of the Department of Insurance.

**Kentucky SB 30: Automatic Renewals January 1, 2024**

This bill establishes definitions for terms related to automatic renewal and requires businesses to clearly and visibly present automatic renewal offers to consumers, obtain consent before charging consumers, and provide relevant information regarding cancellation policies. It also includes provisions for easy cancellation mechanisms and notification of material term changes, while exempting certain businesses and allowing the Attorney General to take legal action for relief.

**Tennessee HB 136/SB 1449: Automatic Renewal Exemptions January 1, 2024**

This bill amends the existing automatic renewal law TC § 47-18-133 by adding exemptions for affiliates of a business licensed under state insurance laws and a person or entity providing certain service contracts as defined in § 56-2-126, or an affiliate of the person or entity. As introduced, exempts an affiliate of a business licensed under state insurance laws and a person or entity providing certain service contracts, or an affiliate of the person or entity, from requirements governing businesses that make automatic renewal offers or continuous service offers to consumers.

**California SB 793: Privacy Notice & Personal Information January 1, 2024**

Senate Bill 793 adds a new section to the insurance Code that requires insurers to provide annual notices to policyholders. These notices can be combined or separate, as long as all requirements are met. The bill also states that insurers are not required to provide notices to former policyholders with whom they no longer have a relationship.

**California SB 814: Household Goods and Services January 1, 2024**

This bill amends several sections of the Business and Professions Code, requiring spot check investigations of service dealers at least twice a year and allowing the director to make provisions and regulations available on their website. It also adds a provision that cancels a registration if it is not renewed within six years of expiration but allows for reissuing or reinstating if all requirements are met, and expands the definition of an "electronic set" to include cellular devices. However, the bill does not include the recommended fingerprinting requirement for service dealers mentioned in the BHGS Sunset Report

**California SB 244: Express Warranties Act, Right to Repair Act January 1, 2024**

This bill, known as the Right to Repair Act, would require manufacturers to provide access to the necessary information and tools for diagnosing, maintaining, and repairing their products. It also requires unauthorized repair facilities to provide customers with written notice about warranties before performing any repairs. In addition, this bill allows local or state authorities to impose civil penalties for violating the Right to Repair Act, with these provisions set to take effect on July 1, 2024.

**Colorado HB 1134: Home Warranty Service Contracts July 1, 2024**

Starting from 2024, the bill mandates home warranty service contracts to include provisions that permit homeowners to replace gas-fueled appliances with electric ones of their choice, define efficiency standards for both types of appliances, and allow homeowners to receive cash instead of a replacement appliance.

**Illinois SB 1440: Consumer Fraud-Mail Disclosure January 1, 2024**

This bill updates the Consumer Fraud and Deceptive Business Practices Act to make it illegal to send a postcard or letter in the state without disclosing any affiliations or lack thereof. It also requires all disclosures and disclaimers to be placed at the top of the postcard or letter in clear and easily readable font, and prohibits mail that requests recipient contact without specific disclosure requirements.

**Indiana SB 005: Consumer Data Protection January 1, 2026**

This bill introduces Article 15: Consumer Data Protection to the Indiana code, which outlines the responsibilities of controllers of consumers' personal data and establishes requirements for data protection assessments. The bill also grants the attorney general the authority to investigate and enforce violations of the new article, while pre-empting local rules and allowing for the publication of certain resources on the attorney general's website.

**Guaranteed Asset Protection Effective Dates**

**Missouri SB 398: Motor Vehicles August 28, 2023**

This bill prohibits any manufacturer, importer, or distributor not licensed in the state of Missouri prior to January 1, 2023, from engaging in the business of selling motor vehicles to consumers, except as permitted by the MVFP act.

**Texas HB 2746: Debt Cancellation Agreements September 1, 2023**

This bill allows creditors to shift the obligation of refunding debt cancellation agreements to an administrator or retail seller by providing written notice within 30 days of termination. The bill also establishes specific timelines for holders to provide refunds or credits, or to provide written instructions for cancellation, after termination of the agreement.

**North Carolina SB356/HB447: Motor Vehicle Dealer Laws September 1, 2023**

This bill adds various motor vehicle dealer franchise laws primarily to increase the availability of electric vehicles to rural consumers. This bill makes it unlawful for a manufacturer or distributor that has any franchised dealers to sell, lease, or otherwise distribute one or more series of motor vehicles that are primarily electric or hydrogen vehicles that utilize at least one advanced technology that are not available for purchase by all of its franchised dealers in the state. The bill amends section 20-305.1 regarding dealer warranty and recall obligations, removing language pertaining to unfair and unreasonable retail rates charged for parts and labor.

**Connecticut SB 1033: Revisions to Banking Statutes October 1, 2023**

This bill revises the Banking statutes by amending the definition of "APR" and "small loan," and includes provisions regarding GAP Waiver refunds and small loan requirements for loans between five thousand to fifty thousand dollars, with no advance exceeding unpaid principal of fifty thousand dollars.
Furthermore, the bill adds the definition of "Finance charge" to include charges for ancillary products, memberships, or services sold in connection with a small loan.

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This bill prevents manufacturers from penalizing auto dealers for a customer's failure to comply with title and registration laws when they have already paid a claim. It also corrects a spelling error in the term "charge back" to "chargeback" throughout the statute.

 **California AB 1756: GAP Refund Calculation January 1, 2024**

This bill changes how refunds for guaranteed asset protection (GAP) waivers are calculated by basing it on the length of the GAP waiver term instead of the finance agreement term. It was signed into law on October 8, 2023, and aligns with the refund policy changes requested by GAPA.

**Colorado HB 1181: Guaranteed Asset Protection Agreements January 1, 2024**

This bill that establishes requirements for guaranteed asset protection agreements (GAP agreements) in the state. It allows creditors to charge additional fees for GAP agreements and sets conditions and provisions that must be included in these agreements. The bill also establishes procedures for claims, cancellation or assignment of GAP agreements, and limits the maximum fee that can be charged. It prohibits the sale of a GAP agreement in certain circumstances.

**California SB 793: Privacy Notice & Personal Information January 1, 2024**

Senate Bill 793 adds a new section to the insurance Code that requires insurers to provide annual notices to policyholders. These notices can be combined or separate, as long as all requirements are met. The bill also states that insurers are not required to provide notices to former policyholders with whom they no longer have a relationship.

**California AB 473: Motor Vehicle Manufacturers, Distributors, and Dealers January 1, 2024**

This bill aims to regulate franchisors and franchisees in the motor vehicle industry by requiring franchisors to use the labor and time guide of franchisees for non-warranty work. It also prohibits license holders from offering consumers a subscription service for motor vehicle features using existing components. The bill further amends certain sections of the Vehicle Code to address issues related to franchisor notices, right of refusal, reimbursement, incentive programs, and the definition of "area of responsibility.

**Illinois SB 1440: Consumer Fraud-Mail Disclosure January 1, 2024**

This bill amends the Consumer Fraud and Deceptive Business Practices Act. Provides that it is an unlawful practice under the Act to knowingly mail or send a postcard or letter to a recipient in the State if the postcard or letter does not disclose or disclaim any and all affiliations or lack thereof. Provides that all disclosures and disclaimers appearing on a postcard or letter must be conspicuously located at the top of the postcard or letter, be easily readable in clear and unambiguous language, and be printed in at least 14-point bold-face font in a black-outlined box. Prohibits mail that requests that the recipient contact the sender by mail, telephone, email, website, or other prescribed means without specified disclosure requirements.

**Indiana SB 005: Consumer Data Protection January 1, 2026**

This bill introduces Article 15: Consumer Data Protection to the Indiana code, which outlines the responsibilities of controllers of consumers' personal data and establishes requirements for data protection assessments. The bill also grants the attorney general the authority to investigate and enforce violations of the new article, while pre-empting local rules and allowing for the publication of certain resources on the attorney general's website.

**VEHICLE SERVICE CONTRACTS & ANCILLARY PRODUCTS**

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### Connecticut HB 6796: Catalytic Converters October 1, 2023

This bill requires new and used car dealers to mark catalytic converters on motor vehicles worth over ten thousand dollars and establishes a task force to evaluate related laws. Car dealers must mark the catalytic converter with the complete VIN and charge reasonable rates, while the Insurance Commissioner is instructed to adopt regulations that provide rate reductions for owners or lessees of vehicles with marked catalytic converters.

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This bill amends the existing automatic renewal law TC § 47-18-133 by adding exemptions for affiliates of a business licensed under state insurance laws and a person or entity providing certain service contracts as defined in § 56-2-126, or an affiliate of the person or entity. As introduced, exempts an affiliate of a business licensed under state insurance laws and a person or entity providing certain service contracts, or an affiliate of the person or entity, from requirements governing businesses that make automatic renewal offers or continuous service offers to consumers.

### California AB 1519: Catalytic Converters January 1, 2024

California AB 1519, effective January 1, 2024, adds Sections 10753 and 24020 to the Vehicle Code. It prohibits the sale of a vehicle with a catalytic converter that has not been permanently marked with the vehicle identification number (VIN). The bill also prohibits the removal, alteration, or obfuscation of any unique marking added to a catalytic converter.

### California SB 55: Catalytic Converters January 1, 2024

California SB 55 requires that new and used vehicles must have catalytic converters that are permanently marked with the vehicle's VIN before it can be sold. However, there are exceptions for vehicles sold under certain circumstances, and the costs of etching the catalytic converter may be passed on to the buyer. This requirement does not apply to vehicles purchased from out-of-state dealers without a warranty servicing facility in California until 2025.

**California SB 793: Privacy Notice & Personal Information January 1, 2024**

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### California AB 473: Motor Vehicle Manufacturers, Distributors, and Dealers January 1, 2024

This bill brings changes to the Vehicle Code regarding motor vehicle manufacturers, transporters, and dealers. It mandates the use of the labor and time guide used by franchisees to determine a reasonable time allowance for non-warranty work. The bill also enables franchisees to file protests with the board if they believe the franchisor's time allowances do not comply with the law, with the burden of proof falling on the franchise to demonstrate compliance.

### California AB 1140: Fingerprint Requirements for VSC applicants January 1, 2024

This bill requires vehicle service contract providers to undergo fingerprinting and have their information transmitted to the Department of Justice, effective from January 1, 2024. It also mandates that service contract obligors comply with either the CLIP requirements or the parental guarantee, but not both, in terms of financial assurance.

**California SB 244: Express Warranties Act, Right to Repair Act January 1, 2024**

This bill, known as the Right to Repair Act, would require manufacturers to provide access to the necessary information and tools for diagnosing, maintaining, and repairing their products. It also requires unauthorized repair facilities to provide customers with written notice about warranties before performing any repairs. In addition, this bill allows local or state authorities to impose civil penalties for violating the Right to Repair Act, with these provisions set to take effect on July 1, 2024.

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This bill updates the Consumer Fraud and Deceptive Business Practices Act to make it illegal to send a postcard or letter in the state without disclosing any affiliations or lack thereof. It also requires all disclosures and disclaimers to be placed at the top of the postcard or letter in clear and easily readable font, and prohibits mail that requests recipient contact without specific disclosure requirements.

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This bill introduces Article 15: Consumer Data Protection to the Indiana code, which outlines the responsibilities of controllers of consumers' personal data and establishes requirements for data protection assessments. The bill also grants the attorney general the authority to investigate and enforce violations of the new article, while pre-empting local rules and allowing for the publication of certain resources on the attorney general's website.

**CREDIT INSURANCE**

### Colorado HB 1229: Amending Terms Consumer Lending Laws June 5, 2023, July 1, 2024, January 1, 2024

Sets a maximum monthly loan maintenance fee of $7.50 for loans not exceeding $500 and $15 for loans exceeding $500.
Prohibits any additional charges or fees on loans not exceeding $1,000, except for certain fees authorized by law.
These changes aim to protect consumers by reducing the charges and fees associated with consumer credit transactions, particularly for smaller loans. The effective dates for these changes vary, with some portions taking effect in 2023 and others in 2024.

### Florida HB 793: Lender Placed Insurance Model Act July 1, 2023

This bill enacts the model act for Lender Placed Insurance by defining terms specifying requirements for collateral protection insurance policy terms, providing for the calculation of collateral protection insurance coverages and premiums, specifying prohibited practices by insurers and insurance agents relating to collateral protection insurance and specifying requirements for the filing of policy forms and rates.

### Missouri SB 101/HB 655: Model Act August 28, 2023

Missouri SB 101/HB 655, effective as of August 28, 2023, implements the model act for Lender Placed Insurance. The bill establishes regulations regarding when lender-placed insurance takes effect and ends, and when mortgagors can be charged for the policies. The legislation also specifies coverage and premium amounts based on the property's replacement cost value and prohibits certain practices, such as insurers and insurance producers compensating lenders or sharing premiums or risk with them.

**California SB 33: Commercial Financing, Disclosures January 1, 2024**

This bill would require providers to continue to include in the disclosures and alternative disclosures the total cost of financing expressed as an annualized rate, indefinitely. The bill would make conforming changes to the provisions describing the regulations adopted by the commissioner governing these disclosure requirements.

**California SB 666: Min. Small Business & Commercial Financing Transactions January 1, 2024**

California SB 666, effective from January 1, 2024, prohibits covered entities from charging certain fees in commercial financing transactions with small businesses or owners. The bill outlines various fees that are prohibited, such as fees for accepting payments, providing documentation, initiating liens, and more. However, certain providers, transactions secured by real property, and individuals making a limited number of transactions are exempt from these regulations.

### South Carolina: Annual Prima Facie Approved Rates January 1, 2024

The South Carolina Department of Insurance has approved the proposed prima facie rates for 2024. These rates apply to Credit Accident and Health Insurance and vary depending on the length of the coverage period. Life of the South will be filing these rates with the department and will provide instructions on how to program them.

**Wisconsin Prima Facie Premium Rates January 1, 2024**

The new basic loss ratio that fulfills the presumption that benefits are reasonable to the premiums charged, as required by s.424.209 (1), Wis. Stat. The new basic loss ratio of 45% for credit life insurance and the new prima facie rates for credit life insurance and credit accident and sickness insurance to become effective for the three- year period beginning on January 1, 2024.