

## SERVICE CONTRACTS MODEL ACT

### What are the state pages?

This chart is intended to provide readers with additional information to more easily access state statutes, regulations, bulletins or administrative rulings related to the NAIC model. Such guidance provides readers with a starting point from which they may review how each state has addressed the model and the topic being covered. The NAIC Legal Division has reviewed each state's activity in this area and has determined whether the citation most appropriately fits in the Model Adoption column, Previous Version column, or Related Activity column based on the definitions listed in the key below. The NAIC's interpretation may or may not be shared by the individual states or by interested readers.

### How do you use them?

States and territories are listed alphabetically in the chart. Locate the state or territory you are interested in, and depending on which column the citation falls under, you will know whether the NAIC Legal Division has deemed a state's law to be adoption of a model or not. To perform further research, use the citations to locate state laws.

### Who do I speak to if I have questions?

If you have questions or believe information related to a state should be updated, please contact Jennifer Neuerburg at [jneuerburg@naic.org](mailto:jneuerburg@naic.org).

***Disclaimer:** This chart does not constitute a formal legal opinion by the NAIC staff on the provisions of state law and should not be relied upon as such. Nor does this state page reflect a determination as to whether a state meets any applicable accreditation standards. Every effort has been made to provide correct and accurate summaries to assist readers in locating useful information. Readers should consult state law for further details and for the most current information.*

**SERVICE CONTRACTS MODEL ACT****STATE PAGE KEY:**

**MODEL ADOPTION:** States that have citations identified in this column adopted the most recent version of the NAIC model in a **substantially similar manner**. This requires states to adopt the model in its entirety but does allow for variations in style and format. States that have adopted portions of the current NAIC model will be included in this column with an explanatory note.

**PREVIOUS VERSION:** States that have citations identified in this column (and nothing listed in the Model Adoption column) have enacted an older version of the model but have **not** adopted the most recent version of the NAIC model.

**RELATED ACTIVITY:** Examples of Related Activity include but are not limited to statutes or regulations addressing the same subject matter, or other administrative guidance such as bulletins and notices. States that have citations identified in this column (and nothing listed in the Model Adoption column) have **not** adopted the most recent version of the NAIC model in a **substantially similar manner**.

**NO CURRENT ACTIVITY:** No state activity on the topic as of the date of the most recent update. This includes states that have repealed legislation as well as states that have never adopted legislation.

| <b>NAIC MEMBER</b> | <b>MODEL ADOPTION</b>                                 | <b>PREVIOUS VERSION</b> | <b>RELATED ACTIVITY</b>  |
|--------------------|---|-------------------------|--|
| Alabama            | ALA. CODE §§ 8-32-1 to 8-32-12 (1997).                |                         |  |
| Alaska             |   |                         | ALASKA STAT. § 21.03.021 (1968/2014) (service contract is not insurance).                  |
| American Samoa     | NO CURRENT ACTIVITY                                   |                         |  |
| Arizona            |   |                         | ARIZ. REV. STAT. ANN. §§ 20-1095 to 20-1095.10 (1982); ARIZ. ADMIN. CODE R20-6-407 (1987). |
| Arkansas           | ARK. CODE ANN. §§ 4-114-101 to 4-114-112 (2007/2009). |                         | ARK. CODE ANN. §§ 4-90-501 to 4-90-512 (1993) (motor vehicle service contracts).           |

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| NAIC MEMBER          | MODEL ADOPTION                                     | PREVIOUS VERSION | RELATED ACTIVITY   |
|----------------------|--|------------------|--|
| California           |  |                  | CAL. INS. CODE §§ 12140 to 12311 (1935/2004) (motor clubs); §§ 12800 to 12865 (2004/2010) (motor vehicle service contracts); CAL. BUS. & PROF. CODE §§ 9855 to 9855.9 (1993/1998); CAL. CIV. CODE §§ 1791 to 1794.4 (1970/2004). |
| Colorado             |  |                  | COLO. REV. STAT. §§ 10-4-1601 to 10-4-1609 (2014); 3 COLO. CODE REGS. § 702-5:5-1-12 (2013) (warranties and service contracts).  |
| Connecticut          | NO CURRENT ACTIVITY                                |                  |  |
| Delaware             | NO CURRENT ACTIVITY                                |                  |  |
| District of Columbia | D.C. CODE ANN. §§ 31-2351.01 to 31-2351.13 (2019). |                  |  |
| Florida              |  |                  | FLA. STAT. §§ 634.011 to 634.271 (1959/2005) (motor vehicle service contracts); §§ 634.301 to 634.444 (1977/1999); MEMORANDUM 2011-04M (2011).   |
| Georgia              |  |                  | GA. CODE ANN. § 33-7-6 (1960/2013); GA. COMP. R. & REGS. 120-2-47-.01 to 120-2-47-.14 (1989/2013) (motor vehicle service contracts).   |

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|--------------------|--|-------------------------|---|
| Guam               | NO CURRENT ACTIVITY                                    |                         |   |
| Hawaii             |  |                         | HAW. REV. STAT. §§ 481X-1 to 481X-12 (2000).  |
| Idaho              |  |                         | IDAHO CODE ANN. § 41-114A (2000).   |
| Illinois           |  |                         | 215 ILL. COMP. STAT. 152/1 to 152/99 (1998/2013).                                     |
| Indiana            |  |                         | IND. CODE ANN. §§ 27-1-43.2-1 to 27-1-43.2-19 (2014).                                 |
| Iowa               |  |                         | IOWA ADMIN. CODE r. 191-103.1 to 191-103.15 (2016) (motor vehicle service contracts). |
| Kansas             | NO CURRENT ACTIVITY                                    |                         |   |
| Kentucky           |  |                         | 806 KY. ADMIN. REGS. 5:060 (1997).  |
| Louisiana          | NO CURRENT ACTIVITY                                    |                         |   |
| Maine              | ME. REV. STAT. ANN. tit. 24-A, §§ 7101 to 7112 (2012). |                         | BULLETIN 393 (2014).  |
| Maryland           |  |                         | MD. CODE ANN., COM. LAW §§ 14-401 to 14-410 (1975/2002).                              |
| Massachusetts      |  |                         | MASS. GEN. LAWS ANN. ch. 175, § 149N (2011).  |
| Michigan           | NO CURRENT ACTIVITY                                    |                         |   |
| Minnesota          | MINN. STAT. §§ 59B.01 to 59B.11 (2005).                |                         |   |

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|--------------------|-----------------------|-------------------------|--|
| Mississippi        |                       |                         | MISS. CODE ANN. § 75-24-91 (2003).   |
| Missouri           |                       |                         | MO. REV. STAT. §§ 385.200 to 385.436 (2007/2011) (auto); MO. CODE REGS. ANN. tit. 20, §§ 200-18.010 to 200-18.120 (2012).  |
| Montana            |                       |                         | MONT. CODE ANN. §§ 61-12-301 to 61-12-315 (1931/1947) (motor vehicle service clubs).   |
| Nebraska           |                       |                         | NEB. REV. STAT. §§ 44-3520 to 44-3527 (1990); §§ 44-3701 to 44-3721 (1981); 210 NEB. ADMIN. CODE § 58 (1994/2012) (motor vehicle service contracts); BULLETIN CB-106 (2008). |
| Nevada             |                       |                         | NEV. REV. STAT. §§ 690C.010 to 690C.330 (2000); §§ 696A.010 to 696A.360 (1971/2006) (motor vehicle service clubs); NEV. ADMIN. CODE §§ 690C.010 to 690C.120 (2000).          |
| New Hampshire      |                       |                         | N.H. REV. STAT. ANN. §§ 415-C:1 to 415-C:12 (2005/2009).   |
| New Jersey         |                       |                         | N.J. STAT. ANN. § 56:12-88 (2013).   |
| New Mexico         |                       |                         | N.M. STAT. ANN. §§ 59A-58-1 to 59A-58-18 (2002/2013).  |

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|--------------------|--|-------------------------|--|
| New York           | N.Y. INS. LAW §§ 7901 to 7913 (1997/2012). |                         | N.Y. COMP. CODES R. & REGS. tit. 11, §§ 390.1 to 390.13 (2001/2003) (Reg. 155); CIRCULAR LETTER 2006-19 (2006); CIRCULAR LETTER 2009-19 (2009).    |
| North Carolina     |  |                         | N.C. GEN. STAT. §§ 66-370 to 66-374 (1992/1995) (motor vehicle service and home service contracts).  |
| North Dakota       |  |                         | N.D. CENT. CODE § 9-01-21 (2001) (property service contract is not insurance).   |
| Northern Marianas  | NO CURENT ACTIVITY                         |                         |  |
| Ohio               |  |                         | OHIO REV. CODE ANN. § 3905.422 (2004) (home service contract is not insurance).  |
| Oklahoma           |  |                         | OKLA. STAT. tit. 36, §§ 3101 to 3112 (1973) (motor vehicle service clubs); OKLA. STAT. tit. 15, §§ 141.1 to 141.35 (2012/2014) (service warranty). |
| Oregon             |  |                         | OR. REV. STAT. §§ 646A.150 to 646A.172 (1995/2005); §§ 742.390 to 742.392 (1995); OR. ADMIN. R. 836-200-0000 to 836-200-0060 (1996/2006).          |
| Pennsylvania       | NO CURRENT ACTIVITY                        |                         |  |

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|--------------------|---|-------------------------|--|
| Puerto Rico        |   |                         | P.R. LAWS ANN. tit. 26, §§ 2101 to 2134 (1961/1979) (motor vehicle service contracts).         |
| Rhode Island       |   |                         | R.I. GEN. LAWS ANN. § 6-57-2 (2019) (service contracts are not insurance).                     |
| South Carolina     | S.C. CODE ANN. §§ 38-78-10 to 38-78-120 (2000).         |                         | S.C. CODE ANN. §§ 39-61-10 to 39-61-200 (1987) (motor club); S.C. CODE ANN. REG. 69-61 (2001). |
| South Dakota       |   |                         | S.D. CODIFIED LAWS § 58-1-3 (1966/2001) (exempts service contracts).                           |
| Tennessee          |   |                         | TENN. CODE ANN. § 56-2-126 (2011) (service contracts are not insurance).                       |
| Texas              | NO CURRENT ACTIVITY                                     |                         |  |
| Utah               | UTAH CODE ANN. §§ 31A-6a-101 to 31A-6a-111 (1992/2003). |                         | UTAH ADMIN. CODE R590-166-1 to R590-166-6 (2009/2014).   |

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|--------------------|---|-------------------------|--|
| Vermont            |   |                         | VT. STAT. ANN. tit. 8, §§ 4247 to 4256 (1998).                                       |
| Virgin Islands     | NO CURRENT ACTIVITY   |                         |  |
| Virginia           |   |                         | VA. CODE ANN. §§ 59.1-435 to 59.1-441 (1991/1997).                                   |
| Washington         | WASH. REV. CODE ANN. §§ 48.110.010 to 48.110.904 (1999/2014). |                         |  |
| West Virginia      |   |                         | W. VA. CODE § 33-4-2 (2000) (exempts service contracts from insurance code).         |
| Wisconsin          |   |                         | WIS. STAT. §§ 616.71 to 616.82 (1933/1979) (motor vehicle service clubs).            |
| Wyoming            | WYO. STAT. ANN. §§ 26-49-101 to 26-49-111 (1999).             |                         | WYO. STAT. ANN. §§ 31-14-101 to 31-14-131 (1969/1984) (motor vehicle service clubs). |