

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.

***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.

NAIC MEMBER	MODEL ADOPTION	PREVIOUS VERSION	RELATED ACTIVITY
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).
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).

SERVICE CONTRACTS MODEL ACT

NAIC MEMBER	MODEL ADOPTION	PREVIOUS VERSION	RELATED ACTIVITY
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).
Guam	NO CURRENT ACTIVITY		
Hawaii			HAW. REV. STAT. §§ 481X-1 to 481X-12 (2000).
Idaho			IDAHO CODE ANN. § 41-114A (2000).

SERVICE CONTRACTS MODEL ACT

NAIC MEMBER	MODEL ADOPTION	PREVIOUS VERSION	RELATED ACTIVITY
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).		
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).

SERVICE CONTRACTS MODEL ACT

NAIC MEMBER	MODEL ADOPTION	PREVIOUS VERSION	RELATED ACTIVITY
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).
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		

SERVICE CONTRACTS MODEL ACT

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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		
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).

SERVICE CONTRACTS MODEL ACT

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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).