

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass the A-Engrossed Measure
<b>Vote:</b>	4 - 0 - 1
<b>Yeas:</b>	George, Monnes Anderson, Prozanski, Shields
<b>Nays:</b>	0
<b>Exc.:</b>	Baertschiger
<b>Prepared By:</b>	Channa Newell, Administrator
<b>Meeting Dates:</b>	4/26

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**WHAT THE MEASURE DOES:** Provides that customer of portable electronics insurance policy gives consent to receive notice and correspondence by electronic means if customer provides email address after insurer, insurer's agent, or vendor notifies customer that providing email address is consent to receive electronic notice and correspondence. Removes requirement that all notices be sent via certified or registered mail. Specifies proof of mailing or delivery to customer's last known address or email address is sufficient proof of notice or correspondence. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Ubiquity of electronic devices in daily life
- Legislation in 2011 requiring limited license to sell portable electronic device insurance
- Current notice requirements for property and casualty insurance

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** In 2011, the Legislative Assembly enacted House Bill 3411, which brought portable electronic device insurance under the Oregon Insurance Code. Prior to that time, this insurance was unregulated. Portable electronics are devices such as cell phones, tablets, laptops, GPSs, and the accessories for portable electronic devices. Insurance may be offered on portable electronics to cover repair or replacement of the device in the event of loss, theft, damage, or malfunction and is separate from the warranty, service contract, or maintenance agreement that may come with the device. A portable electronics insurer may provide correspondence and notices to a policyholder or customer via electronic means, but House Bill 3411 also required notice and correspondence to be sent via certified or registered mail.

House Bill 2346-A allows insurers to provide only electronic notices and removes the requirement that notice be provided via certified or registered mail, but specifies a consent mechanism for a customer to determine whether to receive electronic notice. In order to consent to receive electronic notices or correspondences on the policy, an insurance provider, agent, or vendor must notify the customer that providing an email address acts as consent to receive electronic communications. If the customer provides the email addresses, consent to receive electronic correspondence is given.