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**HOUSE BILL NO. 2723**

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the House Committee on Commerce and Labor  
on January 31, 2019)

(Patron Prior to Substitute—Delegate Wilt)

A *BILL to amend and reenact § 38.2-1877 of the Code of Virginia, relating to portable electronics insurance; notices.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 38.2-1877 of the Code of Virginia is amended and reenacted as follows:**

**§ 38.2-1877. Requirements for sale of portable electronics insurance.**

A. At every location where portable electronics insurance is offered to customers, the vendor shall make available to a prospective customer brochures or other written materials that:

1. Disclose that portable electronics insurance may provide a duplication of coverage already provided by a customer's homeowner's insurance policy, renter's insurance policy, or other source of coverage;

2. State that the purchase of coverage by a customer of portable electronics insurance is not required in order to purchase or lease portable electronics or services;

3. Summarize the material terms of the insurance coverage, including: (i) the identity of the insurer; (ii) the amount of any applicable deductible and how it is to be paid; (iii) benefits of the coverage; and (iv) key terms and conditions of coverage such as whether portable electronics may be repaired or replaced with similar make and model reconditioned or nonoriginal manufacturer parts or equipment; and

4. Summarize the process for filing a claim, including a description of (i) any requirements to return portable electronics and the maximum fee applicable in the event the customer fails to comply with any equipment return requirements and (ii) proof of loss requirements.

B. Portable electronics insurance may be offered on a month-to-month or other periodic basis as an individual policy or a group or master commercial inland marine policy issued to a vendor of portable electronics under which the individual customer may elect to purchase coverage.

C. *An insurer or vendor of portable electronics insurance may issue notices and correspondence by mail or by electronic means as set forth in this subsection. The consumer may provide an electronic mail address to the insurer or vender of portable electronics which shall be considered to be the customer's consent to receive notices and correspondence by electronic means so long as a disclosure to that effect is provided to the customer within 30 days following the purchase of portable electronics insurance.*