

*House* BILL NO. *478*

INTRODUCED BY *Wiseman Thomas* *Mulner* *BENEDICT*  
*Burnett* *Beaudry* *Jurkiewicz* *Stoyan* *Ing. Kelly*

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION OF "GLASS BROKER"; REVISING THE PRACTICES FROM WHICH CERTAIN PERSONS ENGAGED IN THE SALE, REPAIR, OR REPLACEMENT OF AUTOMOBILE GLASS ARE PROHIBITED; AND AMENDING SECTIONS 30-14-225 AND 33-18-223, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 30-14-225, MCA, is amended to read:

**"30-14-225. Prohibited practices -- advertising allowed.** (1) A person engaged in the sale, repair, or replacement of automobile glass may not:

(a) advertise, promise to provide, or offer any coupon, credit, or rebate to pay all or part of an insurance deductible under a casualty or property insurance policy; or

(b) pay a sum or incentive to an individual or entity for directing glass replacement or repair or the purchase of a glass product.

(2) A person or association of persons engaged in the sale, repair, or replacement of automobile glass may advertise services as to quality, service, and safety.

(3) A ~~person~~ glass broker, as defined in 33-18-223, may not manage, handle, or arrange automobile glass replacement or glass repair work for which the ~~person~~ glass broker retains a percentage of the claim ~~or a set fee paid by the insurance company to the glass repair shop for an amount in excess of the amount paid to the glass repair shop.~~"

**Section 2.** Section 33-18-223, MCA, is amended to read:

**"33-18-223. Prohibited activities -- glass broker defined.** (1) It is unlawful for an insurance company, individually or with others, to directly or indirectly:

(a) establish an agreement with any person to act as a glass broker for the insurance company under which the glass broker sets a price that must be met by a glass repair shop as a condition for doing glass replacement or glass repair work for the insurance company;

1 (b) establish an agreement with ~~any person~~ a glass broker that requires a glass repair shop to bill  
2 through that ~~person~~ glass broker as a condition of doing glass replacement or glass repair work; or

3 (c) establish a price that must be met by a glass repair shop as a condition for doing glass  
4 replacement or glass repair work that is below the lowest prevailing market price as provided in 33-18-222.

5 (2) As used in this section, "glass broker" means an automobile glass company that acts as a  
6 third-party agent for the insurer ~~for whenever the purpose of entering~~ glass broker enters into agreements  
7 with other automobile glass dealers to perform glass replacement or glass repair work."

8 -END-

*House* BILL NO. *478*

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2 INTRODUCED BY *Wisoman Thomas* *Melner* *BENEDICT*  
3 *Burnett* *Beaudry* *Jurkiewicz* *Hayes* *Ing. Kelly*

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23 ~~of the amount paid to the glass repair shop."~~

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25 **Section 2.** Section 33-18-223, MCA, is amended to read:

26 **"33-18-223. Prohibited activities -- glass broker defined.** (1) It is unlawful for an insurance  
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Burnett Beaudry Jurkiewicz Hayes Ing. Kelly

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"33-18-223. Prohibited activities -- glass broker defined. (1) It is unlawful for an insurance company, individually or with others, to directly or indirectly:

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THIRD READING

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HOUSE BILL NO. 478

INTRODUCED BY WISEMAN, THOMAS, MOLNAR, BENEDICT, BURNETT, BEAUDRY, QUILICI, HARPER,  
GAGE, HALLIGAN

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