

**Independent Insurance Agents of Virginia
Overview of the
2012 Legislative Session of the Virginia General Assembly
Proposed Legislation
Filed as of January 8, 2012**

BILL NUMBER	SUBJECT	PATRON AND BILL DESCRIPTION	COMMITTEE, NOTES AND STATUS
HOUSE PROPOSALS			
HB 8	Safety	HB 8 Vessel accident; requires passengers 16 years of age or older to report, penalty Introduced by: James E. Edmunds, II Reporting of vessel accident; penalty. Requires any passenger 16 years of age or older who is a passenger in a vessel that is involved in an accident in which the operator has (i) failed to stop and render assistance and (ii) failed to report the accident in accordance with procedures established by the Board of Game and Inland Fisheries to notify, within a reasonable time, a law-enforcement officer, conservation police officer, or an officer of the Virginia Marine Police. If such a report is not filed, the passenger is subject to a Class 1 misdemeanor. The bill contains technical amendments.	House Agriculture, Chesapeake and Natural Resources
HB 12	Safety	HB 12 Boating; operator of a vessel to report accident to law enforcement, notification to DGIF, penalty. Introduced by: James E. Edmunds, II Reporting boating accident. Requires the operator of a vessel, if he is involved in an accident, to immediately report the accident to law enforcement and to notify the Department of Game and Inland Fisheries. An operator who fails to provide the appropriate notice and report of the accident is subject to a Class 3 misdemeanor. The law-enforcement officer who receives the notice from the vessel's operator is required to immediately report the collision, accident, or other casualty to the Department of Game and Inland Fisheries.	House Agriculture, Chesapeake and Natural Resources
HB 44	Work Comp	HB 44 Workers' Compensation Commission; authorized to award interest on expenses to claimant's attorney. Introduced by: Gregory D. Habeeb Workers' compensation; interest on expenses. Authorizes the Workers' Compensation Commission to award interest at no more than the legal rate on expenses incurred by the claimant's attorney.	House Commerce and Labor
HB 118	Safety	HB 118 Vessel accident; requires operator who damages property in a collision, etc., to report, penalty. Introduced by: James E. Edmunds, II Property damage due to boat accident; penalty. Punishes as a Class 6 felony any operator of a vessel who damages only property in a collision, accident or other casualty and who fails to (i) give his name, address and identification of the vessel in writing to the owner of the property that has been damaged; (ii) notify law enforcement; and (iii) file a report with the	House Agriculture, Chesapeake and Natural Resources

NOTE: If a committee is not listed for a particular bill, the referral to a committee is pending.

		Department of Game and Inland Fisheries if the property damage is \$2,000 or more. Currently, the penalty for not complying with these requirements in the instance of an accident resulting in property damage is a Class 1 misdemeanor. The bill would continue to impose a Class 1 misdemeanor in circumstances where property damage is less than \$2,000.	
HB 119	Auto	HB 119 Golf carts; allows governing body of Town of Urbanna to authorize operation on highways. Introduced by: M. Keith Hodges Golf carts; operation on the highways. Allows the governing body of the Town of Urbanna to authorize the operation of golf carts on the highways of the Town, subject to the limits of general law.	House Transportation
HB 125	Power of Attorney	HB 125 Uniform Power of Attorney Act; liability of agent, penalty. Introduced by: Terry G. Kilgore Uniform Power of Attorney Act; violation; penalty. Provides that an agent under a power of attorney who violates the Uniform Power of Attorney Act with intent to defraud the principal and converts his principal's property is guilty of embezzlement.	House Courts of Justice
HB 127	Policies	HB 127 Property and casualty insurance policies; forms and endorsements. Introduced by: Terry G. Kilgore Property and casualty insurance policies; forms and endorsements. Requires property and casualty insurance policies to contain a list of all applicable forms and endorsements, including the respective form numbers and edition dates.	House Commerce and Labor
HB 128	Work Comp	HB 128 Workers' compensation; records referring to accidents, etc., available for file match program. Introduced by: Terry G. Kilgore Workers' compensation; records. Requires the Workers' Compensation Commission to make its records referring to accidents, injuries, and settlements available to an organization that conducts a computerized file match program that permits an electronic comparison of its members' records to the Commission's records.	House Commerce and Labor
HB 133	Policies	HB 133 Insurance information; posting on insurer's website. Introduced by: Terry G. Kilgore Insurance information; posting on insurer's website. Authorizes any property and casualty insurer to deliver forms and endorsements to insureds by posting them on the insurer's website. This provision does not apply to forms and endorsements that contain personally identifiable information. An insurer that posts such information on its website is required to furnish to any insured who requests it a paper or electronic copy of the insured's policy or contract, without charge.	House Commerce and Labor
HB 137	Work Comp	HB 137 Workers' compensation; injuries presumed to be in course of employment Introduced by: Gregory D. Habeeb Workers' compensation; injuries presumed to be in course of employment. Revises the provision enacted in 2011 that created a presumption, in the absence of a preponderance of evidence to the contrary, that an injury is work related if an employee is physically or mentally unable to testify and there is un rebutted prima facie evidence that the injury was work related. This measure substitutes the phrase "arose out of and were in the course of employment" for "were work related."	House Commerce and Labor
HB 152	Fire Code	HB 152 Statewide Fire Prevention Code; insurance requirements for certain fireworks shows. Introduced by: Richard P. Bell Statewide Fire Prevention Code insurance requirements for certain fireworks shows. Requires the Board of Housing	House General Laws

NOTE: If a committee is not listed for a particular bill, the referral to a committee is pending.

		and Community Development to amend the Statewide Fire Prevention Code so that insurance coverage for permit holders for consumer fireworks shows is capped at \$500,000.	
		SENATE PROPOSALS	
SB 38	Guaranty Fund	SB 38 Life, Accident, and Sickness Insurance Guaranty Association; guidelines for use of logo. Introduced by: Bryce E. Reeves Virginia Life, Accident, and Sickness Insurance Guaranty Association; advertisements. Exempts displays of the logo of the Virginia Life, Accident, and Sickness Insurance Guaranty Association on letterheads and signs, plaques, and posters within the office or other place of business of an agent of a member insurer from the prohibition on any advertisement that uses the existence of the Association for the purpose of selling or soliciting covered insurance. The measure also permits agents to display or distribute pamphlets that state the types of policies for which guaranty funds will provide coverage and the maximum amount of such coverage.	Commerce & Labor
SB 39	Guaranty Fund	SB 39 Life, Accident, and Sickness Insurance Guaranty Association; increases maximum amount of coverage Introduced by: Bryce E. Reeves Virginia Life, Accident, and Sickness Insurance Guaranty Association. Increases the maximum amount of coverage provided by the Virginia Life, Accident, and Sickness Insurance Guaranty Association for life insurance death benefits from \$300,000 to \$500,000. The measure also increases the maximum amount that the Association may become obligated to cover with respect to (i) the net cash surrender and net cash withdrawal values for life insurance policies from \$100,000 to \$200,000 and (ii) the present value of annuity benefits, including net cash surrender and net cash withdrawal values, from \$250,000 to \$500,000.	Commerce & Labor
SB 47	Certificates – IIAV Bill	SB 47 Certificates of insurance; property and casualty insurance. Introduced by: John C. Watkins Certificates of insurance; property and casualty insurance. Prohibits any person from (i) issuing or delivering a certificate of insurance that attempts to confer any rights upon a third party beyond what the referenced policy of insurance expressly provides; (ii) knowingly demanding or requiring the issuance of a certificate of insurance from an insurer, insurance producer, or policyholder that contains any false or misleading information concerning the policy; (iii) knowingly preparing or issuing a certificate of insurance that contains any false or misleading information or that purports to affirmatively or negatively alter, amend, or extend the coverage provided by the policy; or (iv) issuing or delivering a certificate of insurance that does not contain a statement regarding such matters. In addition, a certificate of insurance may not represent an insurer's obligation to give notice of cancellation or nonrenewal to a third party unless the giving of the notice is required by the policy.	Commerce & Labor

NOTE: If a committee is not listed for a particular bill, the referral to a committee is pending.

