

**Independent Insurance Agents of Virginia  
Overview of the  
2012 Legislative Session of the Virginia General Assembly  
Proposed Legislation – Post Crossover  
Filed as of February 22, 2012**

| <b>BILL NUMBER</b>     | <b>SUBJECT</b> | <b>PATRON AND BILL DESCRIPTION</b>   | <b>COMMITTEE, NOTES AND STATUS</b>   |
|------------------------|----------------|--|--|
| <b>HOUSE PROPOSALS</b> |                |  |  |
| <a href="#">HB 8</a>   | Safety         | <b>HB 8 Vessel accident; requires passengers 18 years of age or older to report, penalty</b> Introduced by: <a href="#">James E. Edmunds, II</a> <b>Reporting of vessel accident; penalty.</b> Requires any passenger 18 years of age or older who is a passenger in a vessel that is involved in an accident resulting in serious bodily injury or death and 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 by the operator or any other person in the vessel, or an officer of the Virginia Marine Police. If such a report is not filed, the passenger is subject to a Class 3 misdemeanor. The bill contains technical amendments. | <a href="#">House Agriculture, Chesapeake and Natural Resources</a><br>Subcommittee recommends reporting – re-referred to <a href="#">Courts</a> – Reported as substitute – ref to Appropriations – Reported as substitute – Passed House – Ref to Senate <a href="#">Ag Committee</a> |
| <a href="#">HB 119</a> | Auto           | <b>HB 119 Golf carts; allows governing body of Town of Urbanna to authorize operation on highways.</b> Introduced by: <a href="#">M. Keith Hodges</a> <b>Golf carts; operation on the highways.</b> 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.   | <a href="#">House Transportation</a><br>Subcommittee recommends reporting – Reported – Passed House – Referred to Senate <a href="#">Transportation</a> – Reported – Passed Senate – Goes to Governor  |
| <a href="#">HB 127</a> | Policies       | <b>HB 127 Property and casualty insurance policies; forms and endorsements.</b> Introduced by: <a href="#">Terry G. Kilgore</a> <b>Property and casualty insurance policies; forms and endorsements.</b> Requires property and casualty insurance policies to contain a list of all policy forms and endorsements applicable to that policy, which shall display the respective form numbers and, if those form numbers are not unique identifiers of such forms, the applicable edition dates. The measure will become effective on October 1, 2012.  | <a href="#">House Commerce and Labor</a><br>Reported – Passed House – Referred to Senate <a href="#">Commerce &amp; Labor</a> - Reported   |
| <a href="#">HB 133</a> | Policies       | <b>HB 133 Insurance information; posting on insurer's website.</b> Introduced by: <a href="#">Terry G. Kilgore</a> <b>Insurance information; posting on insurer's website.</b> 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.  | <a href="#">House Commerce and Labor</a><br>Amended – Reported – Passed House, Referred to Senate <a href="#">Commerce &amp; Labor</a> – Reported with technical amendments  |

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

|                        |  |  |  |
|------------------------|--|--|--|
| <a href="#">HB 137</a> | Work Comp<br><br>Technical fix to last year's bill | <b>HB 137 Workers' compensation; injuries presumed to be in course of employment</b><br>Introduced by: <a href="#">Gregory D. Habeeb</a> <b>Workers' compensation; injuries presumed to be in course of employment.</b> 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."  | <a href="#">House Commerce and Labor</a><br>Reported – Passed Senate – Ref to Senate <a href="#">Commerce &amp; Labor</a>  |
| <a href="#">HB 153</a> | Work Comp  | <b>HB 153 Workers' compensation; exclusion of certain employees.</b> Introduced by: <a href="#">R. Lee Ware, Jr.</a> <b>Workers' Compensation; exclusion of certain employees.</b> Excludes a person from coverage under the Virginia Workers' Compensation Act if there is jurisdiction under either the Longshore and Harbor Workers' Compensation Act or the Merchant Marine Act of 1920. The measure provides that the Workers' Compensation Act will not be construed to eliminate or diminish any right that a person or his personal representative may have under either of such federal acts.   | <a href="#">House Commerce and Labor</a><br>Subcommittee recommends reporting – Reported - Passed House Referred to Senate <a href="#">Commerce &amp; Labor</a> – Reported on a <a href="#">9/5/1 vote</a> |
| <a href="#">HB 209</a> | Agents CE  | <b>HB 209 Insurance agents; continuing education requirements.</b> Introduced by: <a href="#">Jackson H. Miller</a> <b>Insurance agents; continuing education.</b> Streamlines the continuing education process for insurance agents. The measure provides a producer a period of time during which he has the opportunity to correct errors and effect compliance with continuing education requirements. Provisions that conditioned an insurance agent's ability to submit late proof of compliance or reinstate a license upon payment of monetary penalties are eliminated. The measure also amends the requirement that two continuing education credit hours be in insurance law and regulations to require that three credit hours be in insurance ethics, which may include insurance law and regulations. The deadline for completing continuing education course, exemption, or waiver requirements is changed from December 31 to November 30, and any agent who fails to meet this deadline is given a final opportunity to complete the requirements if proof of completion is submitted by December 31. The measure eliminates (i) requirements that a status report be provided prior to the end of each biennium to each agent who has not satisfied continuing education requirements and (ii) the provision prohibiting agents whose license has been terminated for failing to comply with the continuing education requirements from applying for a new license prior to the expiration of a period of 90 calendar days from the date of license termination. The measure also shortens the time for the Insurance Continuing Education Board to grant or reject a grievance from 30 to 15 days. The measure will become effective January 1, 2013. | <a href="#">House Commerce and Labor</a><br>Subcommittee reported as a substitute – Reported – Passed House (3 <sup>rd</sup> reading) - Referred to Senate <a href="#">Commerce &amp; Labor</a> - Reported |
| <a href="#">HB 282</a> | Life   | <b>HB 282 Divorce; revocation of death benefits; notice.</b> Introduced by: <a href="#">Salvatore R. Iaquinto</a> <b>Divorce; revocation of death benefits; notice.</b> Requires that every decree of divorce or annulment contain a notice alerting the parties that the final decree may not necessarily serve to revoke the designation of the other party as a beneficiary in a contract providing for a death benefit.  | <a href="#">House Courts of Justice</a><br>Subcommittee recommends reporting – Reported – Passed House – Ref to Senate <a href="#">Courts</a> - Reported   |
| <a href="#">HB 283</a> | Life   | <b>HB 283 Divorce; temporary orders; life insurance.</b> Introduced by: <a href="#">Salvatore R. Iaquinto</a> <b>Divorce; temporary orders; life insurance.</b> Provides that a party in a suit for divorce, annulment, separate maintenance, or child custody or visitation may be ordered  | <a href="#">House Courts of Justice</a><br>Subcommittee recommends reporting with amendments –   |

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

|                        |                              |  |  |
|------------------------|------------------------------|--|--|
|                        |                              | to maintain any existing life insurance policy on the life of either spouse or designate as beneficiary the child or children of the parties, or of the other party, and that the court may allocate the cost of the premiums of such insurance between the parties.   | Reported – Passed House – Ref to Senate <a href="#">Courts</a> - <a href="#">PBI</a>   |
| <a href="#">HB 313</a> | Agent Licensing              | <b>HB 313 State Corporation Commission; required to review results of licensing examination</b> Introduced by: <a href="#">R. Lee Ware, Jr.</a> <b>Life insurance and annuities agents; licensing examination.</b> Requires the State Corporation Commission annually to review whether the pass rate for the licensing examination for life insurance and annuities agents is consistent with the 2011 National Association of Insurance Commissioners State Licensing Handbook, or any successor publication adopted by the NAIC. The bill also directs the Commission to report to the General Assembly by the second quarter of the following year on its findings and any related changes it has implemented.   | <a href="#">House Commerce and Labor</a><br>Substitute reported – passed House – Referred to Senate <a href="#">Commerce &amp; Labor</a>   |
| <a href="#">HB 453</a> | Work Comp                    | <b>HB 453 Workers' compensation; penalty for failure to pay.</b> Introduced by: <a href="#">R. Lee Ware, Jr.</a> <b>Workers' compensation; penalty for failure to pay.</b> Updates the provision that excuses the Commonwealth from assessment of a penalty for failing to pay workers' compensation benefits when the Commonwealth has issued a regular payroll payment to the employee in lieu of compensation covering the period of disability. The measure allows the payment to be made in any form, and not only by check. The measure also clarifies that a regular payroll payment issued by the Commonwealth includes payments issued net of deductions for elected and mandatory benefits and other standard deductions.  | <a href="#">House Commerce and Labor</a><br>Reported – Passed House – Referred to Senate Commerce & Labor – Reported<br><br>Applies to state employees only                                  |
| <a href="#">HB 523</a> | Homeowners                   | <b>HB 523 Fire insurance; earthquake coverage notice.</b> Introduced by: <a href="#">Peter F. Farrell</a> <b>Fire insurance; earthquake coverage notice.</b> Requires fire insurance policies or contracts that exclude coverage for earthquake damage to provide a written notice that (i) explicitly states that earthquake coverage is excluded unless purchased by endorsement and (ii) if such coverage is otherwise available from the insurer, states that information regarding earthquake insurance is available from the insurer or the insurance agent. The measure applies to policies issued or renewed on or after January 1, 2013.  | <a href="#">House Commerce and Labor</a><br>Substitute reported – Passed House – Referred to Senate <a href="#">Commerce &amp; Labor</a> - Reported  |
| <a href="#">HB 746</a> | Auto                         | <b>HB 746 Farm vehicles; exemption from registration.</b> Introduced by: <a href="#">Benjamin L. Cline</a> <b>Unregistered farm vehicles.</b> Restates the present gross vehicle weight ratings associated with exemptions from registration of certain farm vehicles (including trailers and semitrailers).   | <a href="#">House Transportation</a><br>Sub recommends reporting – Substitute reported – Passed House – Ref to Senate <a href="#">Committee on Transportation</a> – Reported – Passed Senate |
| <a href="#">HB 867</a> | Certificates – IIAV Proposal | <b>HB 867 Certificates of insurance; property and casualty insurance.</b> Introduced by: <a href="#">Thomas Davis Rust</a> <b>Certificates of insurance; property and casualty insurance.</b> 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; and (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 | <a href="#">House Commerce and Labor</a><br>Reported with IIAV/Bureau amendments – Passed House – referred to Senate <a href="#">Commerce &amp; Labor</a> - Reported                         |

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

|                        |                     |   |  |
|------------------------|---------------------|---|--|
|                        |                     | 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. The State Corporation Commission is authorized to determine if a person is engaged in such practice prohibited as an unfair trade practice.   |  |
| <a href="#">HB 870</a> | Auto                | <b>HB 870 Repairable vehicles; definition, exemption..</b> Introduced by: <a href="#">Thomas Davis Rust</a> <b>Salvage vehicles.</b> Exempts repairable vehicles, defined as late model vehicles repaired by an insurance company immediately prior to acquisition by the insurance company, from the provisions of Chapter 16 of Title 46.2.   | <a href="#">House Transportation</a><br>Sub statute reported – Passed House – ref to Senate<br><a href="#">Transportation</a> - Reported – Passed Senate – Goes to Governor                  |
| <a href="#">HB 871</a> | Burial Limited Lnes | <b>HB 871 Insurance agents; limited burial insurance authority.</b> Introduced by: <a href="#">Thomas Davis Rust</a> <b>Insurance agents; limited burial insurance authority.</b> Eliminates the provision in the definition of a limited burial insurance authority that imposes a \$10,000 limit on burial insurance society memberships.   | <a href="#">House Commerce and Labor</a><br>Subcommittee recommends reporting with amendments – Reported – Passed House – Referred to Senate <a href="#">Commerce &amp; Labor</a> - Reported |
| <a href="#">HB 872</a> | Public Adjusters    | <b>HB 872 Property and casualty insurance; public adjusters.</b> Introduced by: <a href="#">Thomas Davis Rust</a> <b>Property and casualty insurance; public adjusters.</b> Provides for State Corporation Commission licensing and regulation of public adjusters. Public adjusting means investigating, negotiating, adjusting, or providing advice to an insured in relation to first-party claims arising under insurance contracts that insure the real or personal property of an insured, for the purpose of effecting the settlement of a claim on behalf of the insured. A person is prohibited from acting as a public adjuster without first obtaining a license from the Commission. Public adjusters are required to comply with standards of conduct and limits on their fees. The Commission may suspend or revoke licenses under certain conditions. The measure will become effective January 1, 2013. | <a href="#">House Commerce and Labor</a> – Substitute Reported Passed House – Referred to Senate <a href="#">Commerce &amp; Labor</a> - Reported   |
| <a href="#">HB 875</a> | Auto                | <b>HB 875 Vehicle insurance</b> Introduced by: <a href="#">Thomas Davis Rust</a> <b>Vehicle insurance.</b> Places time limits on appeals of DMV suspensions of driver's licenses, etc., for neither having vehicle insurance nor having paid the uninsured vehicle fee.   | <a href="#">House Transportation</a><br>Reported – Passed House – Referred to Senate<br>Transportation Committee – Reported – Passed Senate  |
| <a href="#">HB 879</a> | Life                | <b>HB 879 Income tax, state; subtraction for certain death benefit payments</b><br>Introduced by: <a href="#">Mark D. Sickles</a> <b>Income tax; subtraction for certain death benefit payments.</b> Clarifies that the current subtraction applies only to death benefit payments (i) paid to a beneficiary that are pursuant to an annuity contract between an annuitant and an insurance company and (ii) paid solely by lump sum. The bill reflects the current manner in which the Department of Taxation is implementing the subtraction.   | <a href="#">Finance</a> – Subcommittee recommends reporting – Reported – Senate <a href="#">Finance</a> -  |
| <a href="#">HB 945</a> | Bonds               | <b>HB 945 Virginia Public Procurement Act; performance and payment bonds on transportation-related projects.</b> Introduced by: <a href="#">Ronald A. Villanueva</a> <b>Procurement; performance and payment bonds on transportation-related projects.</b> Raises from \$250,000 to \$500,000 the contract amount for which performance and payment bonds are required on transportation-related projects partially or wholly funded by the Commonwealth.   | <a href="#">House General Laws</a><br>Reported as substitute – Passed House – Referred to Senate<br><a href="#">General Laws</a>   |

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

|                         |                              |  |   |
|-------------------------|------------------------------|--|---|
| <a href="#">HB 1139</a> | Reinsurance –<br>Bureau Bill | <b>HB 1139 Reinsurance credits.</b> Introduced by: <a href="#">R. Lee Ware, Jr</a> <b>Reinsurance credits.</b> Conforms Virginia's law regarding credits to insurers for reinsurance ceded to approved assuming insurers to the provisions of the Credit for Reinsurance Model Law of the National Association of Insurance Commissioner (NAIC). Conformity to the Model complies with provisions of the federal Nonadmitted and Reinsurance Reform Act (NRRRA), which permits states to proceed with reinsurance collateral reforms on an individual basis if they are accredited under the NAIC's Financial Regulation Standards and Accreditation Program. Provisions establish (i) how an accredited reinsurer may demonstrate to the State Corporation Commission that it has adequate financial capacity to meet its reinsurance obligations; (ii) the requirements for a reduction in the required trusteed surplus; (iii) the requirements for credit for reinsurance to be allowed when the reinsurance is ceded to a certified reinsurer; (iv) eligibility requirements for becoming a certified reinsurer; (v) the Commission's authority to suspend or revoke a reinsurer's accreditation or certification, (vi) requirements for ceding insurers to manage their concentration risk and to diversify their reinsurance program, (vii) criteria for securities that an assuming insurer may hold in trust as security for the payment of the ceding insurer's obligations, and (viii) trusteed surplus requirements for multiple beneficiary trust accounts. Existing provisions regarding credits for cessions under reinsurance agreements are repealed. | <a href="#">House Commerce and Labor</a><br>Reported with amendments –<br>Passed House – Ref to Senate<br><a href="#">Commerce &amp; Labor</a> – Reported -                           |
| <a href="#">HB 1154</a> | Company                      | <b>HB 1154 State Police, Department of; access to electronic evidence.</b> Introduced by: <a href="#">Charles D. Poindexter</a> <b>Department of State Police; access to electronic evidence.</b> Provides for access by the Department of State Police to certain electronic evidence, documentation, and related materials that may be physically located outside the Commonwealth but that may be accessed by insurance professionals conducting business within the Commonwealth.  | Passed House – Referred to<br>Senate <a href="#">Courts Committee</a>   |
| <a href="#">HB 1169</a> | Work Comp                    | HB 1169 Workers' compensation; WVC shall retain jurisdiction over disputes regarding medical fees. Introduced by: <a href="#">Gregory D. Habeeb</a> <b>Workers' compensation; medical fees.</b> Provides that the Workers' Compensation Commission shall retain jurisdiction for employees to pursue payment of charges for medical services notwithstanding that bills or parts of bills for health care services may have been paid by a source other than an employer, workers' compensation carrier, guaranty fund or uninsured employer's fund.   | <a href="#">House Commerce and Labor</a><br>Subcommittee recommends<br>reporting – Substitute reported –<br>Passed House – Referred to<br>Senate <a href="#">Commerce &amp; Labor</a> |
| <a href="#">HB 1202</a> | Homeowners                   | <b>HB 1202 Volunteer fire departments; billing insurance companies.</b> Introduced by: <a href="#">Joseph P. Johnson, Jr.</a> <b>Fire insurance; coverage for costs of services by volunteer fire departments.</b> Requires fire insurance policies to provide coverage, with limits not less than \$250, for the cost charged by a volunteer fire department that is not fully funded by property taxes in certain instances when the fire department is called in to save or protect property insured under the policy. Higher coverage limits may be offered for an additional premium. The amount billed shall not exceed the limit of coverage..  | <a href="#">House Commerce and Labor</a><br>Substitute Reported – Passed<br>House – Referred to Senate<br><a href="#">Commerce &amp; Labor</a>  |
| <a href="#">HB 1273</a> | Health                       | <b>HB 1273 Chemotherapy; requirements for orally administered cancer drugs</b><br>Introduced by: <a href="#">Christopher K. Peace</a> <b>Access to oral chemotherapy medications.</b> Provides that each health insurer, health care subscription plan, and health maintenance organization whose policies, contracts or plans include coverage for intravenously administered, injected and orally administered anticancer drugs shall provide that the   | Passed House – Referred to<br>Senate <a href="#">Commerce &amp; Labor</a>   |

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

|                        |                            |  |  |
|------------------------|----------------------------|--|--|
|                        |                            | durational limits, deductibles, coinsurance factors and copayments for orally administered anticancer drugs shall have consistently applied criteria within the same plan as those for cancer chemotherapy drugs that are administered intravenously or by injection. This requirement will apply to the state employees' health insurance plan and to the local choice health program.  |  |
|                        |                            | <b>SENATE PROPOSALS</b>  |  |
| <a href="#">SB 47</a>  | Certificates – IIAV Bill   | <b>SB 47 Certificates of insurance; property and casualty insurance.</b> Introduced by: <a href="#">John C. Watkins</a> <b>Certificates of insurance; property and casualty insurance.</b> 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. | <a href="#">Commerce &amp; Labor</a><br>Reported – Passed Senate – Referred to <a href="#">House Commerce &amp; Labor Committee</a> – Amended to conform to HB 867 – Reported and Passed House |
| <a href="#">SB 65</a>  | Liability Notice VTLA Bill | <b>SB 65 Nursing homes; notice of liability insurance coverage.</b> Introduced by: <a href="#">William M. Stanley, Jr.</a> <b>Nursing homes; notice of liability insurance coverage.</b> Requires nursing homes, certified nursing facilities, and assisted living facilities to inform patients and residents about liability insurance available to pay claims of the patient or resident..  | <a href="#">Education &amp; Health</a><br>Reported – Passed Senate<br>Referred to House HWI committee and <b>failed on 5 to 17 vote</b>  |
| <a href="#">SB 120</a> | Insurer Reg Bureau Bill    | <b>SB 120 Risk-Based Capital Act.</b> Introduced by: <a href="#">Yvonne B. Miller</a> <b>Risk-Based Capital Act.</b> Applies the Risk-Based Capital Act, which provides a way of measuring the minimum amount of capital appropriate for an insurer based on its size and risk profile, to fraternal benefit societies. Other provisions make trend test requirements consistent among life and health, property and casualty, and health organizations. The life and health insurers' trend test is increased from 2.5 to 3.0 to be consistent with the trend tests for property and casualty and health insurers. A trend test is added for health organizations.  | <a href="#">Commerce &amp; Labor</a><br>Reported – Passed Senate - Referred to <a href="#">House Commerce &amp; Labor Committee</a> - Reported   |
| <a href="#">SB 135</a> | Health                     | <b>SB 135 Virginia All Payer Claims Database; creation.</b> Introduced by: <a href="#">Linda T. Puller</a> <b>Virginia All Payer Claims Database; creation.</b> Establishes the Virginia All-Payer Claims Database system, in order to facilitate data-driven, evidence-based improvements in access, quality, and cost of health care and to improve the public health through understanding of health care expenditure patterns and operation and performance of the health care system. Entities that choose to submit claims data to the database shall do so pursuant to data use and submission agreements executed with the nonprofit organization that contracts with the Commissioner of Health for public health data needs.   | Passed House – Referred to Senate <a href="#">HWI</a> Committee – Substitute adopted -   |

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

|                        |               |   |  |
|------------------------|---------------|---|--|
|                        |               | The bill also directs the Commissioner to develop a work group to study continuing health information needs in the Commonwealth.  |  |
| <a href="#">SB 140</a> | Homeowners    | <b>SB 140 Volunteer fire departments; billing insurance companies.</b> Introduced by: <a href="#">Phillip P. Puckett</a> <b>Fire insurance; coverage for costs of services by volunteer fire departments.</b> Requires fire insurance policies to provide coverage, with limits not less than \$250, for the cost charged by a volunteer fire department in certain instances when the fire department is called in to save or protect property insured under the policy. The amount billed shall not exceed the limit of coverage.   | <a href="#">General Laws</a> – Re-referred to <a href="#">Commerce &amp; Labor</a> – Amended – Reported – Passed Senate - Referred to <a href="#">House Commerce &amp; Labor Committee</a> – Amended to conform to HB 1202 – Reported on <a href="#">16/4</a> vote - |
| <a href="#">SB 155</a> | Auto          | <b>SB 155 Repairable vehicles.</b> Introduced by: <a href="#">Phillip P. Puckett</a> <b>Repairable vehicles.</b> Defines “repairable vehicle” and exempts repairable vehicles from Chapter 16 of Title 46.2 (Salvage, Nonrepairable, and Rebuilt Vehicles).   | <a href="#">Transportation</a><br>Amended Reported – Passed Senate – Referred to House Transportation – Reported and Passed House  |
| <a href="#">SB 219</a> | Safety        | <b>SB 219 Text messaging and emailing while driving; penalty.</b> Introduced by: <a href="#">George L. Barker</a> <b>Text messaging and emailing while driving; penalty.</b> Allows police officers to issue citations to violators who text message or email while operating a moving motor vehicle. Currently, police officers must have cause to stop or arrest a driver for some other violation before issuing a citation.   | <a href="#">Transportation</a><br>Reported – re-referred to Courts – Reported Passed Senate – Referred to House Militia Police – <b>Laid on table</b>  |
| <a href="#">SB 246</a> | Liability     | <b>SB 246 Winter Sports Safety Act; limits liability of ski resorts and other winter sports area operators.</b> Introduced by: <a href="#">Mark D. Obenshain</a> <b>Winter Sports Safety Act.</b> Limits the liability of ski resorts and other winter sports area operators when death, personal injury, or property damage is caused by an inherent risk of participating in a winter sport. Winter sports area operators are required to post warning signs notifying participants that they assume the risk of participating in a winter sport. The Act sets out the duties and responsibilities of both winter sports participants and operators. Participants are presumed to have assumed the risk for death, personal injury, or damage to property caused by an inherent risk of a winter sport. This presumption is rebuttable by a preponderance of the evidence. The Act does not limit liability for acts or omissions that constitute negligence or gross negligence, or for situations in which the operator recklessly, knowingly, or intentionally commits an act or omission that causes death, personal injury, or damage to property; however, assumption of risk and contributory negligence by the participant are complete bars to recovery. | Senate Courts Committee – passed, committee passed Senate – Referred to House <a href="#">Courts Committee</a>   |
| <a href="#">SB 280</a> | Auto          | <b>SB 280 Vehicle insurance</b> Introduced by: <a href="#">Ralph K. Smith</a> <b>Vehicle insurance.</b> Places time limits on appeals of DMV suspensions of driver's licenses, etc., for neither having vehicle insurance nor having paid the uninsured vehicle fee.  | <a href="#">Transportation</a><br>Reported – Passed Senate – ref to <a href="#">House Transportation</a> - Reported  |
| <a href="#">SB 322</a> | Motor Carrier | <b>SB 322 Insurance requirements for motor carriers.</b> Introduced by: <a href="#">Charles W. Carrico, Sr.</a> <b>Insurance requirements for motor carriers.</b> Provides that the existing exemptions from the laws in Chapter 21 of Title 46.2 for the transportation of property (i) between any point in Virginia and any point outside Virginia and (ii) between points within any city or town, do not apply to the chapter's insurance requirements   | <a href="#">Transportation</a><br>Reported – Passed Senate – Referred to <a href="#">House Transportation</a> - Subcommittee recommends reporting  |

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

|                        |            |  |   |
|------------------------|------------|--|---|
| <a href="#">SB 365</a> | Auto       | <b>SB 365 Judgments for motor vehicle accident damages.</b> Introduced by: <a href="#">R. Creigh Deeds</a> <b>Judgments for motor vehicle accident damages; orders for suspension.</b> Provides that a suspension of a judgment debtor's driver's license shall not extend (i) beyond 10 years from the date of judgment for any civil judgment obtained in a general district court or (ii) beyond 20 years from the date of judgment for any civil judgment obtained in a circuit court.   | <a href="#">Transportation</a><br>Referred to <a href="#">Courts Committee</a><br>Reported – Passed Senate<br>Referred to House <a href="#">Courts</a>  |
| <a href="#">SB 369</a> | Homeowners | <b>SB 369 Fire insurance; earthquake coverage notice.</b> Introduced by: <a href="#">Bryce E. Reeves</a> <b>Fire insurance; earthquake coverage notice.</b> Requires fire insurance policies or contracts that exclude coverage for earthquake damage to provide a written notice that (i) conspicuously states that earthquake coverage may be excluded and (ii) if such coverage is available, states that information regarding earthquake insurance is available from the insurer or the insurance agent. The measure applies to policies issued or renewed on or after January 1, 2013..  | <a href="#">Commerce &amp; Labor</a> – Significant substitute – Reported – passed Senate – Referred to House <a href="#">Commerce &amp; Labor</a> – Amended to conform to HB 523 - Reported                           |
| <a href="#">SB 431</a> | Regulation | <b>SB 431 Financial exploitation of elderly or incapacitated adults; penalty.</b> Introduced by: <a href="#">Richard H. Stuart</a> <b>Financial exploitation of elderly or incapacitated adults; penalty.</b> Provides that it is a felony punishable by imprisonment in a state correctional facility for not less than one nor more than 20 years to knowingly and without legal justification, by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation, use, obtain, convert, or take control of an incapacitated adult's money, assets, property or financial resources with the intent to permanently deprive the adult of the use, benefit, or possession of the property or financial resources. If the violation is by a caregiver or person in a position of trust it is a Class 3 felony. The bill allows forfeiture of personal property used in connection with the crime. This bill incorporates <a href="#">SB 222</a> , <a href="#">SB 285</a> and <a href="#">SB 443</a> .   | <a href="#">Courts</a><br>Reported and referred to Finance – Reported Passed Senate – Referred to House <a href="#">Courts</a>  |
| <a href="#">SB 450</a> | Health     | <b>SB 450 Health insurance; parity of coverage for oral chemotherapy medications</b> Introduced by: <a href="#">Jill Holtzman Vogel</a> <b>Health insurance; parity of coverage for oral chemotherapy medications.</b> Requires health insurers, health care subscription plans, and health maintenance organizations whose policies provide coverage for cancer chemotherapy treatment to provide coverage for a prescribed, orally administered anticancer medication on a basis no less favorable than that on which it provides coverage for intravenously administered or injected anticancer medications. Such a policy, contract, or plan shall not require a higher copayment, deductible, or coinsurance amount for a prescribed, orally administered anticancer medication than what it requires for an intravenously administered or injected anticancer medication that is provided, regardless of formulation or benefit category determination by the insurer, corporation, or health maintenance organization. The mandate will apply to the state employees' health insurance plan and to the local choice health program. | <a href="#">Commerce &amp; Labor</a><br>Reported and referred to Finance<br><br>Reported from Finance – Passed Senate – Referred to House HWI – Reported as substitut To conform to HB 1273<br><br>VA FREE Submission |
| <a href="#">SB 520</a> | Regulation | <b>SB 520 Property and casualty insurance; public adjusters.</b> Introduced by: <a href="#">Frank W. Wagner</a> <b>Property and casualty insurance; public adjusters.</b> Provides for State Corporation Commission licensing and regulation of public adjusters. Public adjusting means investigating, negotiating, adjusting, or providing advice to an insured in relation to first-party claims arising under insurance contracts that insure the real or personal property of an insured, for the purpose of effecting the settlement of a claim on   | <a href="#">Commerce &amp; Labor</a><br>Substitute Reported – Passed Senate – Referred to <a href="#">House Commerce &amp; Labor Committee</a> - Reported   |

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

|                        |                                      |  |   |
|------------------------|--------------------------------------|--|---|
|                        |                                      | behalf of the insured. A person is prohibited from acting as a public adjuster without first obtaining a license from the Commission. Public adjusters are required to comply with standards of conduct and limits on their fees. The Commission may suspend or revoke licenses under certain conditions. The measure will become effective January 1, 2013.   |   |
| <a href="#">SB 532</a> | Regulation – Companies – Bureau Bill | <b>SB 532 Bureau of Insurance; maintenance assessment.</b> Introduced by: <a href="#">Charles J. Colgan</a> <b>Bureau of Insurance; maintenance assessment.</b> Revises the procedure for collecting the assessment on insurers for the expenses of maintaining the Bureau of Insurance. Provisions for the collection of estimated assessments on a quarterly basis are repealed. The maintenance assessment will be collected on an annual basis, and late payments will incur a penalty of \$50 per day.  | <a href="#">Commerce &amp; Labor</a><br>Reported – Passed Senate<br>Referred to <a href="#">House Commerce &amp; Labor Committee</a> - Reported           |
| <a href="#">SB 576</a> | Work comp                            | <b>SB 576 Workers' compensation; uninsured employer's fund financing tax.</b> Introduced by: <a href="#">Frank W. Wagner</a> <b>Workers' compensation; uninsured employer's fund financing tax.</b> Extends until July 1, 2015, the existing 0.5 percent maximum tax rate that may be assessed on uninsured or self-insured employers. The maximum rate is scheduled to revert to 0.25 percent on July 1, 2012. The revenues from the tax fund workers' compensation benefits that are awarded against such employers from the uninsured employer's fund.  | <a href="#">Commerce &amp; Labor</a><br>Reported – Passed Senate -<br>Referred to <a href="#">House Commerce &amp; Labor Committee</a> - Reported         |
| <a href="#">SB 577</a> | Work Comp                            | <b>SB 577 VWC; majority members constitutes a quorum for purpose of exercising functions of Commission.</b> Introduced by: <a href="#">Frank W. Wagner</a> <b>Workers' Compensation Commission.</b> Provides that a majority of the members of the Workers' Compensation Commission constitutes a quorum for purposes of exercising the judicial, legislative, and discretionary functions of the Commission, regardless of whether there is a vacancy on the Commission. The measure also provides that a quorum is not necessary for the exercise of the Commission's administrative functions. The existing requirement that the chairman of the Commission appoint a deputy commissioner to participate in a review when all Commissioners are unable to hear the review is revised to make such appointment optional. | <a href="#">Commerce &amp; Labor</a><br>Reported – Passed Senate -<br>Referred to <a href="#">House Commerce &amp; Labor Committee</a> - Reported         |
| <a href="#">SB 646</a> | Life & Health – MetLife bill         | <b>SB 646 Life insurance benefits; providing additional benefits incidental to a loss in event of death, etc</b> Introduced by: <a href="#">A. Donald McEachin</a> <b>Life and accident and sickness insurance benefits. Life and accident and sickness insurance benefits.</b> Provides that the benefits provided under a policy of life insurance or accident and sickness insurance may include additional benefits incidental to a loss in the event of death, dismemberment, or loss by accident or accidental means. .  | <a href="#">Commerce &amp; Labor</a><br>Substitute Reported – Passed Senate - Referred to <a href="#">House Commerce &amp; Labor Committee</a> - Reported |
|                        |                                      |  |   |
| <a href="#">SJ 169</a> |                                      | <b>SJ 169 Commending Leland M. Nye,</b> Introduced by: <a href="#">John C. Watkins</a><br>WHEREAS, Leland M. Nye, the general manager and secretary of the Virginia Property Insurance Association, retired in 2012 after more than two decades of exemplary service to the residents of the Commonwealth and the Virginia insurance industry; and   | Agreed to by Senate – Referred to House   |
|                        |                                      |  |   |
|                        |                                      | <b>Legislation that needs work/attention post session</b>  |   |
| <a href="#">SB 496</a> | Health                               | <b>SB 496 Virginia Health Benefit Exchange.</b> Introduced by: <a href="#">John C. Watkins</a> <b>Virginia Health Benefit Exchange.</b> Creates the Virginia Health Benefit Exchange, which will be  | <a href="#">Commerce &amp; Labor</a><br><b>Subcommittee reports and</b>   |

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

|  |  |  |   |
|--|--|--|---|
|  |  | <p>established and operated by a new division within the State Corporation Commission. The Exchange shall facilitate the purchase and sale of qualified health plans and qualified dental plans to qualified individuals and qualified employers. The Exchange will be funded by assessments on health insurers offering plans in the Exchange. A health plan will not be required to cover any state mandated health benefit if federal law does not require it to be covered as part of the essential benefits package. The essential health benefits are items and services included in the benchmark health insurance plan, which is the largest plan in the largest product in the Commonwealth's small group market as supplemented in order to provide coverage for the items and services within the statutory essential health benefits categories. The Exchange shall ensure that no qualified health insurance plan that is sold or offered for sale through the Exchange provides coverage for abortions, except for an abortion performed (i) when the life of the mother is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, or (ii) when the pregnancy is the result of an alleged act of rape or incest. The measure shall expire if any section, clause, provision, or portion of Title I, subtitle D of the Patient Protection and Affordable Care Act shall be repealed or held invalid or unconstitutional by any court of competent jurisdiction.</p> | <p><b>recommends to Carry over – Basis bill if Supreme Court rules in favour of PPACA</b></p> <p><b>Continued to 2013</b></p> |
|--|--|--|---|