



# Big “I” Capitol Report

February 10, 2015

The pace of the legislature has picked up substantially as we are seeing some bills pass over to the other body. I find this the most interesting part of the legislative process. Just because a bill may have passed the House or Senate without too much controversy, there is no guarantee it will do so in the other body. In fact the questions are far different in many cases and there is a heightened sense of scrutiny and skepticism. Bill Price, who was a past legislator and Chair of the Montana Big “I” Legislative Committee once told me that when bills pass over, it is known as the “killing fields”.

This week’s hearings include a few that are of particular interest to the insurance industry:

[SB 208](#) is a bill that will prohibit the use of credit information in writing personal insurance. We have seen a similar bill in almost every previous session. Even though this can, at times, be frustrating for agents, it is recognized as a valuable tool in the rating process. The Big I **will oppose** this bill.

[HB 375](#) will be heard on Wednesday afternoon in the House Transportation committee. This bill proposes an increase in the property damage financial responsibility limits from \$10,000 to \$20,000. The Big I **will support** this bill and offer some amendments for consideration. Chances of this bill advancing are slim.

[SB 254](#) is a dangerous bill that will limit the resources of the Montana State Fund, thus impacting service and financial stability to the insured employers and employees. The three components of this bill that are of concern include; redefining the definition of surplus, prohibiting the payment of dividends until \$50 million dollars have been paid towards the Old Fund Liability and prohibiting the State Fund to increase premiums to offset the costs of the before mentioned changes. The Big I **will strongly oppose** this bill along with other insurance organizations, the Chamber of Commerce, other trade associations.

---

The bills below highlighted in yellow have been added since the last legislative bulletin.

The bill number in the left column is an active link to the actual bill language. The second column contains a short description of the Bill and also the status of the bill.

The bills that are most significant are in “**bold**” and the current status is in “**red**”.

## House Bills

<a href="#">HB 17</a>	<p><b>Requires worker's compensation insurers to provide loss runs to policyholders</b></p> <p><b>This bill will be killed upon introduction. Representative Tom Berry will introduce another bill that addresses loss runs for workers compensation, property and casualty and health insurance.</b></p>
<a href="#">HB 45</a>	<p>Prohibits genetic information discrimination in all insurance</p> <p>Tabled in committee; probably dead</p>
<a href="#">HB 53</a>	<p>Permits discounts to military or veterans by P&amp;C carriers</p> <p>Hearing scheduled 2/12/15 in Senate Business &amp; Labor</p>
<a href="#">HB 57</a>	<p>Strengthen security protections against financial abuse</p> <p>Bill concurred by Senate Business &amp; Labor committee</p>
<a href="#">HB 74</a>	<p>Requires data breach notice to attorney general and insurance commissioner</p> <p>Heard in Senate Judiciary on 2/4/15</p>
<a href="#">HB 78</a>	<p><b>Clarifies vehicle owner's privacy rights for event data recorders</b></p> <p><b>Hearing scheduled for 20/16/15 in Senate Business and Labor</b></p>
<a href="#">HB 90</a>	<p>Revise worker's compensation law regarding claims examiners and fee schedules</p> <p>Hearing scheduled for 2/12/15 in Senate Business &amp; Labor</p>
<a href="#">HB 94</a>	<p><b>Allows for combined coverage policies in surplus lines</b></p> <p><b>Passed out of committee; Big I supports bill</b></p>
<a href="#">HB 95</a>	<p>Revises public adjuster laws</p> <p>Heard in Senate Business &amp; Labor on 2/3/15</p>
<a href="#">HB 103</a>	<p>Revise duties of state auditor office related to insurance and security laws; Housekeeping bill</p> <p>Hearing scheduled on 2/9/15 in Senate Business &amp; Labor</p>
<a href="#">HB 118</a>	<p><b>Allows for electronic delivery of policies</b></p> <p>Passed House, Senate hearing scheduled for 2/19/15</p>

<a href="#">HB 119</a>	Update insurance laws to meet NAIC accreditation  <b>Passed House</b>
<a href="#">HB 204</a>	Revising laws relating to liability waivers and releases  <b>Passed House, referred to Senate Judiciary</b>
<a href="#">HB 207</a>	Prohibiting disclosure of media from electronic communications services  <b>Passed House and referred to Senate Judiciary</b>
<a href="#">HB 240</a>	<b>Allows for policy fees in surplus lines</b>  <b>Passed out of House; referred to Senate Business and Labor</b>
<a href="#">HB 267</a>	Authorizing ride share (Uber) arrangements and issues involving insurance  Heard in House Transportation on 1/30/15
<a href="#">HB 271</a>	Revises laws regarding physician dispensing of prescription medicine  <b>Heard in House Human Services on 1/30/15</b>
<a href="#">HB 297</a>	Prohibits Texting and cell phone use while driving  <b>Heard in committee on 2/9/15</b>
<a href="#">HB 375</a>	<b>Increases minimum limits of liability for property damage to \$20,000</b>  <b>Hearing scheduled 2/11/15 in House Transportation</b>
<a href="#">HB 413</a>	Create OSHA laws applicable to private employers  <b>Hearing scheduled on 2/11/15</b>

*End of House Bills*

## Senate Bills

<a href="#">SB 3</a>	Revise worker's compensation impairment level for vocational rehab benefits <b>Tabled in committee; probably dead</b>
<a href="#">SB 4</a>	Authorize temporary appointment in vacancy of worker's compensation judge <b>Passed in Senate and House</b>
<a href="#">SB 52</a>	Revise captive insurance laws <b>Passed Senate; referred to House Business &amp; Labor</b>
<a href="#">SB 83</a>	Adopt health insurance appeals/external review laws of NAIC <b>Heard in committee; awaiting action</b>
<a href="#">SB 84</a>	Revise claims considerations in insurance policies <b>Heard in House committee on 2/09/15</b>
<a href="#">SB 99</a>	Revise Insure Montana small business health insurance laws <b>Heard in committee on 1/23/15; awaiting action</b>
<a href="#">SB 103</a>	<b>Provide presumptive disease coverage for paid firefighters</b> <b>Hearing scheduled for 2/11/15</b>
<a href="#">SB 123</a>	<b>Revises regulatory authority over the Montana State Fund</b> <b>Scheduled for 3<sup>rd</sup> Reading on Senate Floor</b>
<a href="#">SB 132</a>	<b>Requiring insurers to provide disclosure for aftermarket motor vehicle parts</b> <b>Tabled in Committee; probably dead</b>
<a href="#">SB 184</a>	Allow for display of electronic proof of motor vehicle insurance <b>Passed out of Senate; referred to House Transportation</b>
<a href="#">SB 208</a>	<b>Prohibiting use of credit information in writing personal insurance</b> <b>Hearing scheduled on 2/11/15</b>

<a href="#">SB 209</a>	Regulate vehicle event data  Heard in Senate Judiciary on 2/3/15
<a href="#">SB 231</a>	Revise admissibility in evidence in seat belt laws  Hearing scheduled for 2/5/15
<a href="#">SB 234</a>	Revise tax and fees for professional liability insurance  Hearing scheduled on 2/12/15
<a href="#">SB 254</a>	<b>Revise workers compensation laws relating to Montana State Fund</b>  Hearing scheduled for 2/13/15
<a href="#">SB 259</a>	Revises workers compensation and occupational health and safety assessments  Heard in committee on 2/10/15
<a href="#">SB 288</a>	Allows for medical recovery related to worker's compensation
<a href="#">SB 292</a>	Creates drug formulary for workers compensation

*End of Senate Bills*

### **Drafts Not Yet Assigned Bill Numbers**

<a href="#">LC 588</a>	Revise terms for treating physician in worker's compensation cases  Awaiting assignment of bill number
<a href="#">LC 935</a>	<b>Clarify loss runs insurance laws</b>  Bill intended to replace HB 17
<a href="#">LC 1023</a>	Revises laws related to insurance estimates  Awaiting bill language

<a href="#">LC 1457</a>	Revise laws relating to repairs of motor vehicles  <i>Awaiting bill number</i>
<a href="#">LC 1620</a>	Laws revising workers compensation laws related to emergency workers  <i>Awaiting bill language</i>

*End of Draft Bills*