March 5, 2015

We have hit the halfway point in the 64th Legislative session. Since several of the bills the Big “I” has been tracking and involved in did not make it past the transmittal date, the list of bills will be shorter than the previous legislative bulletin. Our focus now shifts to making sure the bills that we have supported remain intact and accomplishes what they were meant to do. There are a few potentially harmful bills in the mix, but most of our concerns were alleviated with the defeat of several bills and friendly amendments on others.

As previously reported the most harmful bill to Montana agents was SB 254, which would have required the Montana State Fund to pay $50 million towards the Old Fund liability. This bill made it out of committee, but was defeated on the Senate floor. This bill is listed as “probably dead”, however, I have learned from past experiences that “probably dead” is a relative term in regards to the legislative process. The grassroots effort by our member agents to oppose this bill was fantastic. The strong response definitely contributed to the defeat of this bill.

The second key bill of interest is HB 453, which revised the state hail program. We strongly opposed this bill in the House. After several very favorable amendments, the bill passed to the Senate. As currently drafted, this bill will be supported by the Big “I”. We suspect new amendments will be offered, thus we will monitor this bill closely.

I want to personally thank the Legislative Committee for their participation in the process. We are much stronger as group! Obviously we are only halfway done and there is more work and surprises in store for us.

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**

<table>
<thead>
<tr>
<th><strong>HB 53</strong></th>
<th>Permits discounts to military or veterans by P&amp;C carriers</th>
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<tbody>
<tr>
<td></td>
<td>Passed Senate committee; waiting to be heard on floor</td>
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<tr>
<td>Bill</td>
<td>Description</td>
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| HB 57 | Strengthen security protections against financial abuse  
Bill Passed both houses and signed by Governor |
| HB 74 | Requires data breach notice to attorney general and insurance commissioner  
Bill Passed both houses and signed by Governor |
| HB 78 | Clarifies vehicle owner’s privacy rights for event data recorders  
Amended bill concurred in Senate committee; waiting to be heard on floor |
| HB 90 | Revise worker’s compensation law regarding claims examiners and fee schedules  
Amended bill concurred in Senate committee; waiting to be heard on floor |
| HB 94 | Allows for combined coverage policies in surplus lines  
Signed by Governor |
| HB 95 | Revises public adjuster laws  
Amended bill concurred in Senate committee; waiting to be heard on floor |
| HB 103 | Revise duties of state auditor office related to insurance and security laws; Housekeeping bill  
Signed by Governor |
| HB 118 | Allows for electronic delivery of policies  
Passed House, Senate hearing scheduled for 3/12/15 |
| HB 119 | Update insurance laws to meet NAIC accreditation  
Passed House, scheduled in Senate committee on 3/13/15 |
| HB 204 | Revising laws relating to liability waivers and releases  
Scheduled in Senate Judiciary on 3/5/15 |
<table>
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<tr>
<th>Bill Number</th>
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<tbody>
<tr>
<td>HB 207</td>
<td>Prohibiting disclosure of media from electronic communications services</td>
<td>Awaiting executive action by Senate Judiciary committee</td>
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<tr>
<td>HB 240</td>
<td>Allows for policy fees in surplus lines</td>
<td>Scheduled for Senate hearing on 3/13/15</td>
</tr>
<tr>
<td>HB 267</td>
<td>Authorizing ride share (Uber) arrangements and issues involving insurance</td>
<td>Tabled in committee; probably dead</td>
</tr>
<tr>
<td>HB 297</td>
<td>Prohibits Texting and cell phone use while driving</td>
<td>Passed out of committee</td>
</tr>
<tr>
<td>HB 375</td>
<td>Increases minimum limits of liability for property damage to $20,000</td>
<td>Hearing scheduled 3/5/15</td>
</tr>
<tr>
<td>HB 413</td>
<td>Create OSHA laws applicable to private employers</td>
<td>In first house, passed out of committee</td>
</tr>
<tr>
<td>HB 453</td>
<td>Revises State Hail Program allowing board to borrow money from Board of Investments</td>
<td>We strongly opposed this bill as drafted. Bill was killed on the House floor, but later amended and passed on to the Senate. The amendment is very favorable to agents. Our goal will be to keep the bill intact as it moves through the process.</td>
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<tr>
<td>HB 503</td>
<td>Clarify loss run insurance laws</td>
<td>Scheduled in Senate committee on 3/17/15</td>
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End of House Bills
# Senate Bills

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
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</table>
| **SB 4** | Authorize temporary appointment in vacancy of worker’s compensation judge  
Signed by Governor |
| **SB 52** | Revise captive insurance laws  
Passed out of House committee, waiting for floor discussion |
| **SB 83** | Adopt health insurance appeals/external review laws of NAIC  
Scheduled for hearing in House committee on 3/10/15 |
| **SB 84** | Revise claims considerations in insurance policies  
In second house, tabled in committee; probably dead |
| **SB 99** | Revise Insure Montana small business health insurance laws  
In first house, passed out of committee |
| **SB 103** | **Provide presumptive disease coverage for paid firefighters**  
**Tabled in committee; probably dead** |
| **SB 123** | **Revises regulatory authority over the Montana State Fund**  
**Transmitted to House, waiting for committee hearing** |
| **SB 184** | Allow for display of electronic proof of motor vehicle insurance  
Concurred in House committee; waiting for floor discussion |
| **SB 209** | Regulate vehicle event data  
Scheduled in House Judiciary on 3/11/15 |
| **SB 234** | Revise tax and fees for professional liability insurance  
Hearing scheduled on 2/12/15 |
| SB 254 | Revise workers compensation laws relating to Montana State Fund  
*Probably Dead* |
| --- | --- |
| SB 259 | Revises workers compensation and occupational health and safety assessments  
In first house – passed out of committee |
| SB 288 | Allows for medical recovery related to worker’s compensation  
Passed Senate; awaiting House committee hearing |
| SB 292 | Creates drug formulary for workers compensation  
Passed Senate; awaiting House committee hearing |

*End of Senate Bills*