

Lewis Brisbois Bisgaard & Smith

Property, Casualty, Auto & Life

52nd Legislature - 1st Regular Session, 2015

Saturday, Jan 17 2015 1:18 PM

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Auto

H2172: MOTOR VEHICLE LIABILITY INSURANCE REQS	For motor vehicle liability insurance policies issued or renewed beginning June 1, 2016, the minimum required coverage is increased to \$25,000 for bodily injury or death of one person in any one accident, from \$15,000, to \$50,000 for bodily injury or death of two or more persons in any one accident, from \$30,000, and to \$25,000 because of injury to or destruction of property of others in any one accident, from \$10,000.	First sponsor: Rep. Brophy McGee		
H2327: VEHICLE INSURANCE CARDS; BARCODE	Motor vehicle insurers are authorized to place an encrypted barcode on insurance cards.	First sponsor: Rep. Robson		
H2329: SERVICE CONTRACTS; VEHICLE PROTECTION PRODUCTS	For the purpose of statutes regulating service companies, the definition of "service contract" is expanded to include a contract for services relating to the maintenance or repair, including replacement, of tires or wheels, dents or creases that can be repaired using a paintless dent removal process, chips or cracks in windshields, and vehicle key or key fobs. "Service contract" does not include the repair of damage to or replacement of the interior surfaces or exterior paint or finish of a motor vehicle unless the coverage is provided in connection with the sale of a vehicle protection product. Also modifies the definition of "vehicle protection product."	First sponsor: Rep. Fann		
H2330: TECH CORRECTION; FINANCIAL RESPONSIBILITY; VERIFICATION	Minor change in Title 20 (Insurance) related to verification of financial responsibility. Apparent striker bus.	First sponsor: Rep. Fann		
H2343: TEENAGE DRIVERS; COMMUNICATION DEVICES PROHIBITED	For the first six months that a class G driver licensee holds the license, the licensee is prohibited from driving a motor vehicle while using a wireless communication device for any reason, except during an emergency in which stopping the vehicle is impossible or will create an additional hazard. Does not apply beginning on the licensee's 18th birthday. Instruction permit holders for a class D or G driver license are prohibited from driving a motor vehicle while using a wireless communication device for any reason, except during an emergency in which stopping the vehicle is impossible or will create an additional hazard. Effective July 1, 2016.	First sponsor: Rep. Fann		
H2370: TEXTING WHILE DRIVING; PROHIBITION	It is a nonmoving civil traffic violation to use a handheld wireless communication device to manually write, send or read a written message while operating a motor vehicle. Some exceptions. Violations are subject to a civil penalty of \$50 or \$200 if the person is involved in a motor vehicle accident. Establishes a warning period from January 1, 2016 through January 31, 2016. Effective January 1, 2016.	First sponsor: Rep. Steele		
H2422: VEHICLE TOWING		First sponsor: Rep. Fann		

Life

<p>H2297: STATE AGENCY RULEMAKING; RESTRICTIONS</p>	<p>State agencies are prohibited from adopting any new rule that would increase existing regulatory restraints or burdens on the free exercise of property rights or the freedom to engage in an otherwise lawful business or occupation, unless the rule is a component of a comprehensive effort to reduce regulatory restraints or burdens or is strictly ministerial in implementing legislation standards. Some exceptions. Any person subject to a civil or criminal proceeding arising from the enforcement of a rule in violation has a defense to the enforcement action.</p>	<p>First sponsor: Rep. E. Farnsworth</p>		
<p>H2335: INSURANCE COMPLIANCE AUDIT PRIVILEGE</p>	<p>Insurance compliance audit privilege is extended to any insurance compliance audit document, instead of only self-evaluative audit documents. An insurer that seeks protection for an insurance compliance audit must comply with all statutory requirements. Insurers may choose to perform a review or audit, or to have an audit or review conducted, that does not comply with the requirements, but that audit or review is not subject to the privilege protections of statute.</p>	<p>First sponsor: Rep. Fann</p>		
<p>H2352: CREDIT FOR REINSURANCE</p>	<p>Various changes to statutes regulating credit for reinsurance, including prohibiting credit for reinsurance unless the form of trust has been approved by the Department of Insurance of the state where the trust is domiciled. Requirements for the trust instrument are specified, and circumstances under which a trust may authorize a reduction in the required trust surplus are established. Expands the circumstances under which a domestic ceding insurer is allowed a credit for reinsurance to include if the reinsurance is ceded to an assuming insurer that has been certified by the Department of Insurance, and establishes requirements for such certification. In determining whether a jurisdiction is considered a qualified jurisdiction, the Dept is required to evaluate the appropriateness and effectiveness of the reinsurance supervisory system of the jurisdiction based on specified factors. If a certified reinsurer's domiciliary jurisdiction ceases to be a qualified jurisdiction or if the reinsurer ceases to meet the requirements for certification or accreditation, the Dept may suspend the reinsurer's certification or accreditation. More.</p>	<p>First sponsor: Rep. Fann</p>		
<p>H2440: TAX; INSURANCE; RETALIATION</p>		<p>First sponsor: Rep. Livingston</p>		
<p>S1075: INSURANCE; UNFAIR CLAIM SETTLEMENT PRACTICES</p>		<p>First sponsor: Sen. Barto</p>		

Lobbying

<p>H2067: IND EXPENDITURE DISCLOSURES; AGGREGATE PERCENTAGE</p>	<p>Campaign literature or advertisements done by a political committee that are independent expenditures must include the name of each political committee that made contributions that in the aggregate constitute 25 percent or more of the total amount of contributions to the political committee making the independent expenditure, instead of the names of the three political committees making the largest contributions.</p>	<p>First sponsor: Rep. Mesnard</p>	
<p>H2136: LOBBYISTS; COMPENSATION REPORTING</p>	<p>Every lobbyist is required to file with the Secretary of State at the same time that quarterly expenditure reports are due a statement of compensation paid to the lobbyist for lobbying activities, including specified information about the person or entity paying the compensation and the terms of any agreement for compensation.</p>	<p>First sponsor: Rep. McCune Davis</p>	
<p>S1027: DISCLOSURES; LOBBYISTS; SPECIAL EVENTS; GIFTS</p>	<p>Lobbyists are prohibited from making an expenditure for a gift for a state officer or employee, and state officers and employees are prohibited from accepting a gift from a lobbyist. The exemptions for certain types of special events and entertainment are deleted. For the purpose of financial disclosures for public officers and candidates, the definition of "gift" is modified.</p>	<p>First sponsor: Sen. Ableser</p>	<p>1/12 referred to Senate gov.</p>

P&C

H2016: TECH CORRECTION; MORTGAGE GUARANTY INSURANCE	Minor change in Title 20 (Insurance) related to mortgage guaranty insurance. Apparent striker bus.	First sponsor: Rep. Mitchell		
H2019: TECH CORRECTION; PREPAID LEGAL INSURANCE	Minor change in Title 20 (Insurance) related to prepaid legal insurance. Apparent striker bus.	First sponsor: Rep. Mitchell		
H2135: TECH CORRECTION; INSURANCE; EXISTING ACTIONS	Minor change in Title 20 (Insurance) related to existing actions. Apparent striker bus.	First sponsor: Rep. Fann		
H2148: TECH CORRECTION; UNDERGROUND STORAGE; CLOSURE	Minor change in Title 49 (Environment) related to underground storage tank closure. Apparent striker bus.	First sponsor: Rep. Barton		
H2297: STATE AGENCY RULEMAKING; RESTRICTIONS	State agencies are prohibited from adopting any new rule that would increase existing regulatory restraints or burdens on the free exercise of property rights or the freedom to engage in an otherwise lawful business or occupation, unless the rule is a component of a comprehensive effort to reduce regulatory restraints or burdens or is strictly ministerial in implementing legislation standards. Some exceptions. Any person subject to a civil or criminal proceeding arising from the enforcement of a rule in violation has a defense to the enforcement action.	First sponsor: Rep. E. Farnsworth		
H2335: INSURANCE COMPLIANCE AUDIT PRIVILEGE	Insurance compliance audit privilege is extended to any insurance compliance audit document, instead of only self-evaluative audit documents. An insurer that seeks protection for an insurance compliance audit must comply with all statutory requirements. Insurers may choose to perform a review or audit, or to have an audit or review conducted, that does not comply with the requirements, but that audit or review is not subject to the privilege protections of statute.	First sponsor: Rep. Fann		
H2341: INSURANCE; CANCELLATION; NONRENEWAL MAILING PROOF	For the purpose of cancellation or nonrenewal of insurance, "proof of mailing" means electronic delivery consistent with statute regulating electronic transactions, mailing by first class mail using intelligent barcode, or mailing by electronic means with an electronic postmark.	First sponsor: Rep. Fann		
H2342: INSURANCE; SURPLUS LINES; HOME STATE	A voluntary domestic organization of surplus lines brokers that contracts with the Department of Insurance is required to be incorporated in Arizona as a nonprofit corporation, and licensed surplus lines broker may be a member by paying membership fees. The organization is required to hold an annual meeting and is authorized to collect stamping fees from licensed surplus lines brokers. Additionally, for group insurance contracts, the state of incorporation or organization of the group policy holder is the home state.	First sponsor: Rep. Fann		
H2350: LIMITED LINE INSURANCE; EXAMINATION EXEMPTION	The list of insurance license applicants who are exempt from examination requirements is modified to include any applicant for an insurance producer license with authority for limited line insurance, instead of only specified limited lines insurance applicants.	First sponsor: Rep. Fann		
H2352: CREDIT FOR REINSURANCE	Various changes to statutes regulating credit for reinsurance, including prohibiting credit for reinsurance unless the form of trust has been approved by the Department of Insurance of the state where the trust is domiciled. Requirements for the trust instrument are specified, and circumstances under which a trust may authorize a reduction in the required trust surplus are established. Expands the circumstances under which a domestic ceding insurer is allowed a credit for reinsurance to include if the reinsurance is ceded to an assuming insurer that has been certified by the Department of Insurance, and establishes requirements for such certification. In determining whether a jurisdiction is considered a qualified jurisdiction, the Dept is required to evaluate the appropriateness and effectiveness of the reinsurance supervisory system of the jurisdiction based on specified factors. If a certified reinsurer's domiciliary jurisdiction ceases to be a qualified jurisdiction or if the reinsurer ceases to meet the requirements for certification or accreditation, the Dept may suspend the	First sponsor: Rep. Fann		

	insurer's certification of accreditation. more.			
H2440: TAX; INSURANCE; RETALIATION		First sponsor: Rep. Livingston		
S1075: INSURANCE; UNFAIR CLAIM SETTLEMENT PRACTICES		First sponsor: Sen. Barto		