

Selected 2013 Enacted Legislation of Interest to the EAIC: Related to Agriculture, Alcohol, Banking, Business, Consumer Protection, Finance/Economic Development, Insurance, Livestock, Workers' Compensation

AGRICULTURE

- **HB 52** - Renames the agriculture in Montana schools fund to "Agriculture literacy in Montana schools account".
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 15-30-2388 and 15-30-2389, MCA.
- **HB 189** - Provides for an increase in state hail insurance coverage to \$75 an acre from \$50 an acre for dryland crops and to \$114 an acre from \$76 an acre for irrigated crops. Also lowers the retainage allowed for the state to administer the program and provides a limit on the transfer to the general fund.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 80-2-208 and 80-2-232, MCA.
- **HB 344** - Provides that contracts in cases of bankruptcies may be canceled without penalty for unperformed sections of the contract. Requires a commodity dealer to make payments on delivered portions of a canceled contract.
 - (a) Effective Oct. 1, 2013.
 - (b) New language to be codified in Title 80, ch. 4.
- **HB 399** - Allows sale of eggs at farmers' markets and provides criteria for sales, including a requirement for a Department of Livestock notice regarding grade, quality, size, weight, and date of grading.
 - (a) Effective 3/27/2013.
 - (b) Amends 50-50-202 and 81-20-206, MCA.
- **SB 144** - Revises the noxious weed management trust fund laws to require the Department of Agriculture to use reverted funds for noxious weed management grant awards. Prohibits the Department of Agriculture from applying for or receiving grant awards. Limits eligible administrative costs in FY 2014 and subsequent years.
 - (a) Effective April 29, 2013.
 - (b) Amends 80-7-814, MCA.
- **SB 162** - Transfers hail insurance duties formerly done by Department of Revenue to Department of Agriculture.
 - (a) Effective Jan. 1, 2014.
 - (b) Amends 80-2-203, 80-2-204, 80-2-206, 80-2-207, 80-2-208, 80-2-221, 80-2-222, 80-2-224, 80-2-225, 80-2-230, 80-2-232, 80-2-242, 80-2-243, and 80-2-244, MCA. Repeals 80-2-226 and 80-2-231, MCA.
- **SB 301** - Revises county noxious weed control laws by setting out a process for the board of county commissioners to notify landowners of complaints about noxious weeds on a property and providing timeframes and procedures for compliance. Provides for hearings and actions to deal with noncompliance.
 - (a) Effective April 25, 2013.
 - (b) New language to be codified in Title 7, ch. 22. Also amends 7-22-2117, 7-22-2144, 7-22-2146, and 7-22-2148, MCA. Repeals 7-22-2123 and 7-22-2124, MCA.

ALCOHOL/LIQUOR/BEER/WINE

- **HB 56** - Clarifies existing agency liquor store laws as they apply to posted prices and removes outdated reference to the department.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 16-2-201 and 16-3-307, MCA.
- **HB 402** - Allows direct sale of table wine under a direct shipment endorsement by out-of-state and in-state wineries to Montana consumers and requires collection by the wineries of the taxes imposed on wine sales. Removes references to a connoisseur's wine license.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 16-1-411, 16-3-402, 16-3-411, 16-4-107, 16-4-901, 16-4-902, 16-4-903, 16-4-906, and 16-6-301, MCA.
- **HB 524** - Allows for establishments to sell beer or table wine for off-premises consumption without operating as a grocery store or drugstore licensed as a pharmacy. This allows a stand-alone beer or wine shop that does not have to carry grocery inventory. However, if the establishment is operated in conjunction with another business that business must be a grocery store or drugstore licensed as a pharmacy.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 16-4-115, MCA.
- **SB 120** - Increases from 1 to 3 the number of all-beverages liquor licenses an individual may have if the individual's interest or that of a partner or family member that shares in the profits or liabilities of the all-beverages license does not comprise more than half the total number of allowable all-beverages licenses in any quota area.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 16-4-205 and 16-4-401, MCA.
- **SB 266** - Revises sacramental wine license laws to clarify the alcohol content by volume, the tax as a table wine, the ability of a table wine distributor to also distribute sacramental wine, and the authorization for a sacramental wine license to entities outside or within Montana if they meet the requirements and do not sell sacramental wine to the public. Reduced the application fee to \$100 from \$200 and the renewal fee to \$50 from \$100.
 - (a) Effective July 1, 2013.
 - (b) Amends 16-1-106, 16-1-411, 16-3-218, 16-3-402, 16-4-108, and 16-4-313, MCA.
- **SB 294** - Authorizes the Department of Revenue to adjust penalties imposed on a licensee who has violated state alcohol laws and allows penalty ranges based on mitigating or aggravating circumstances.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 16-4-406, MCA.

BANKING/FINANCIAL INSTITUTIONS

- **HB 63** - Revises laws related to retail installment sales, including changes regarding mailing of rules, license applications, penalties, license denial requirements, and contract disclosure requirement. Authorizes licensing through the nationwide licensing system for finance companies.

- (a) Effective Oct. 1, 2013.
 - (b) Amends 31-1-202, 31-1-203, 31-1-211, 31-1-221, 31-1-222, 31-1-231, 31-1-232, 31-1-235, 31-1-236, 31-1-241, and 31-1-242, MCA, and includes new language regarding the nationwide licensing system.
- **HB 65** - Revises consumer loan laws, including the definition of interest to clarify fees that may be charged to loan consumers. Also clarifies installment and balloon payment requirements, revises requirements for issuing, denying, or other actions for licenses, and prohibits pre-computed interest on consumer loans or compound interest. Allows participation in the nationwide licensing system for consumer loan licensees and requires records to be maintained.
 - (a) Effective Dec. 31, 2013.
 - (b) Amends 32-5-102, 32-5-103, 32-5-201, 32-5-202, 32-5-205, 32-5-207, 32-5-301, 32-5-302, 32-5-303, 32-5-304, 32-5-305, and 32-5-308, MCA. Repeals 32-5-204 regarding license fees, which are revised into 32-5-201, MCA. New language for the nationwide licensing system and the prohibition on precomputed interest and the requirement for simple interest.
- **HB 116** - Revises deferred deposit loan laws, including clarifying that a license is needed for each site at which deferred deposit transactions are made with a Montana consumer. Extends to 14 days from 10 days the time for requesting a hearing related to denial of a license or a written notice of violations. Voids a deferred deposit loan by an unlicensed person. Retains penalty limit per violation but removes limit per action. Allows participation in a nationwide licensing system.
 - (a) Effective April 24, 2013.
 - (b) Amends 31-1-705, 31-1-706, 31-1-707, 31-1-712, 31-1-713, and 31-1-714, MCA. New language for the nationwide licensing system.
- **HB 117** - Revises escrow regulation laws, specifying that any mortgage broker, lender or servicer must also be licensed if they service non-mortgage escrow contracts and clarifying exemptions and penalties. Allows participation in a nationwide licensing system.
 - (a) Effective April 16, 2013 except that the fee payment change is effective July 1, 2013.
 - (b) Amends 32-7-102, 32-7-103, 32-7-108, 32-7-109, 32-7-110, 32-7-111, 32-7-115, 32-7-121, 32-7-122, 32-7-123, and 32-7-124, MCA. New language for the nationwide licensing system.
- **HB 118** - Repeals the Montana Title Loan Act, which now can be handled under the consumer loan act.
 - (a) Effective Dec. 31, 2013.
 - (b) Amends 31-1-106, 31-1-111, 31-1-112, 31-1-401, and 32-5-103, MCA. Repeals 31-1-801, 31-1-802, 31-1-803, 31-1-804, 31-1-805, 31-1-810, 31-1-811, 31-1-812, 31-1-813, 31-1-815, 31-1-816, 31-1-817, 31-1-817, 31-1-818, 31-1-819, 31-1-820, 31-1-821, 31-1-822, 31-1-825, 31-1-826, 31-1-827, 31-1-828, 31-1-829, 31-1-841, 31-1-842, and 32-5-102, MCA.
- **HB 138** - Revises merger provisions for banks. Provides definitions for "acquire" related to either stock or assets, "control", and "located in this state". Clarifies that mergers are

regulated if they involve any bank organized under the laws of Montana and changes the requirements for acquisitions related to branch banks. Expands to 14 days from 10 days the timeframe for taking certain actions.

(a) Effective Oct. 1, 2013.

(b) Amends 32-1-109, 32-1-212, 32-1-370, 32-1-371, 32-1-376, 32-1-384, 32-1-506, 32-1-516, 32-1-904, 32-1-907, and 32-1-908, MCA. Repeals 32-1-382, MCA.

- **SB 61** - Revises bank laws related to derivative transactions and investment securities by allowing rulemaking to specify types of derivative transactions in which a bank may engage and under what conditions. Extends to banks organized under Montana law the same rights as national banks have to buy, sell, underwrite, or hold securities that are derivative transactions.
 - (a) Effective March 29, 2013.
 - (b) Amends 32-1-431 and 32-1-433, MCA.
- **SB 62** - Revises banking laws related to fiduciary foreign trust companies by stating that a foreign trust company acting as a trustee, guardian, or conservator, may file in lieu of a bond, a certification by that foreign trust company's primary regulator that the trust company's capital is adequate.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 32-1-1005, MCA.
- **SB 93** - Revises the Montana Mortgage Act to comply with federal rules. Prohibits mortgage brokers or lenders from employing or contracting with unlicensed persons. Clarifies certain requirements for mortgage brokers and managers and allows mortgage servicers to charge fees that are not known at closing. Revises surety bond provisions, enforcement, and certain advertising, office, and continuing education requirements.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 32-9-101, 32-9-102, 32-9-103, 32-9-104, 32-9-105, 32-9-107, 32-9-109, 32-9-110, 32-9-116, 32-9-117, 32-9-118, 32-9-120, 32-9-121, 32-9-122, 32-9-123, 32-9-124, 32-9-126, 32-9-129, 32-9-130, 32-9-133, 32-9-150, 32-9-151, 32-9-155, 32-9-160, 32-9-165, 32-9-167, and 32-9-170, MCA. Repeals 32-9-125, MCA regarding third-party fees.

BUSINESS/PROFESSIONS

- **HB 61** - Allows licensed addiction counselors to treat gambling addictions.
 - (a) Effective date Oct. 1, 2013.
 - (b) Amends 37-35-102, MCA.
- **HB 184** - Revises law to state that a real estate broker is not liable for a salesperson who is doing a sale-by-owner transaction and removes a previous condition on which the exemption was allowed. Requires disclosure to the other party of the sale-by-owner transaction and that the sale does not involve a supervising broker or real estate firm.
 - (a) Effective May 7, 2013.
 - (b) Amends 37-51-309, MCA.
- **HB 259** - Revises professional licensing to acknowledge military training equivalents for licensing requirements. Same as SB 183. Involves report to Economic Affairs

Committee.

- (a) Effective April 26, 2013.
 - (b) New language
- **HB 308** - Revises qualifications for the Montana Board of Real Estate Appraisers to require a minimum of 3 years experience for appraiser board members.
 - (a) Effective March 27, 2013.
 - (b) Amends 2-15-1758, MCA.
- **HB 362** - Revises Montana limited liability company laws and authorizes creation (as well as dissolution) of a series of members within a limited liability company. Allows the series to have separate members, managers, assets, liabilities and business purposes or investment objectives.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 35-8-102, 35-8-107, 35-8-108, 35-8-202, 35-8-205, 35-8-208, 35-8-304, 35-8-307, 35-8-503, 35-8-803, 35-8-804, 35-8-901, and 35-8-902, MCA.
- **HB 469** - Allows arbitration for disputes related to construction liens.
 - (a) Effective Oct. 1, 2013.
 - (b) New language codified in Title 71, ch. 3, part 5.
- **SB 64** - Revise certain complaint provisions for professional and occupational licensing. The bill provides immunity from the disciplinary authority of the Board of Social Workers, Professional Counselors, and Marriage and Family Therapists if a misconduct allegation is based on testimony or opinions offered in judicial proceedings related to family law, minors, or adoptions.
 - (a) Effective Feb. 13, 2013.
 - (b) New language to be codified in Title 37, ch. 1.
- **SB 139** - Requires a small business impact analysis prior to adoption of administrative rules if the rule has a significant and direct impact on a business of up to 50 employees.
 - (a) Effective July 1, 2013. Has a July 1, 2015, termination date.
 - (b) New language to be codified in Title 2, ch. 4, and amends 2-4-102, MCA.
- **SB 149** - Allows licensed pharmacists without a collaborative practice agreement but who meets other requirements to administer limited immunizations to those aged 12 or older.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 37-7-101 and 37-7-105, MCA.
- **SB 182** - Revises automobile dealer franchise laws to limit objections for franchisees of the same line-make in the same community from objecting to an additional franchisee under certain circumstances. Also excludes as a "good cause" reason for discontinuing a franchise the desire by a franchisor to reduce the number of franchises or dealer locations. Expands franchisee rights in certain circumstances to include purchase, after consultation with the franchisor, of goods or services of similar kind, quality, and design instead of from the manufacturer's designated supplier.
 - (a) Effective April 23, 2013.
 - (b) Amends 61-4-206, 61-4-207, and 61-4-208, MCA.
- **SB 183** - Revises professional licensing to acknowledge military training equivalents for licensing requirements. Same as HB 259. Involves report to Economic Affairs

Committee.

- (a) Effective April 26, 2013.
 - (b) New language to be codified in Title 37, ch. 1.
- **SB 230** - Revises laws related to speech language pathologists and audiologists to allow for telepractice. Requires nonresident speech language pathologists and audiologists to be licensed in Montana before providing telepractice services. (Persons licensed under this chapter are included in the insurance coverage for telemedicine in SB 270.)
 - (a) Effective Oct. 1, 2013.
 - (b) New language regarding scope of telepractice and authorization. Amends 37-15-102 and 37-15-202, MCA.
- **SB 292** - Revises medical peer review laws to clarify terms related to "data", "incident report", and "occurrence report". Specifies that subsequent evaluations of untoward (medical) events are confidential, privileged data. Distinguishes "incident" and "occurrence" reports as a written business record of a medical practice group or a health care facility that provides a factual renditions of events that may or may not be created by staff.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 37-2-401 and 50-16-201, MCA.
- **SB 343** - Revises laws related to barbers and cosmetologists. Requires 2 members of 9-member board to be connected to a school of barbering or cosmetology. Allows 3 years of experience to substitute for coursework required for teaching but states that coursework must be completed to get a teaching license renewed.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 2-15-1747 and 37-31-305, MCA.

CONSUMER PROTECTION

- **HB 287** - Provides for an additional civil penalty for violating the Montana unfair trade practices and consumer protection act if the victim is an older person or developmentally disabled. Provides that fines are to be put in the general fund.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 30-14-143, MCA, and new language for regarding the additional penalty, to be codified under Title 30, ch. 14.
- **HB 415** - Establishes a guaranteed asset protection waiver section in the consumer protection laws and specifies that a guaranteed asset protection (GAP) waiver is not insurance but rather is a contractual agreement either separate from or part of a finance agreement. The GAP waiver provides that a creditor for a separate charge will cancel or waive some or all of the remaining amounts due on a motor vehicle contract if the vehicle is totaled or stolen.
 - (a) Effective date is April 26, 2013, and applies to GAP waivers issued on or after Oct. 1, 2013.
 - (b) New language to be codified in Title 30, ch. 14, and amends 33-1-102, MCA.

ECONOMIC AFFAIRS COMMITTEE BILLS

- **HB 41** - Revise interim committee monitoring duties. This bill adds monitoring of the

Division of Banking and Financial Institutions to the Economic Affairs Committee duties.

- (a) Effective Feb. 18, 2013
 - (b) Amends 5-5-223 and 5-5-228, MCA.
- **HB 60** - Revises from 2018 to December 2014 the termination date for the sunset review of professional and occupational licensing boards required by HB 525 in the 2011 session.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends session law, Chapter 330, Laws of 2011.

ECONOMIC DEVELOPMENT/FINANCE

- **HB 11** - Appropriates to the Department of Commerce for the Treasure State Endowment Program \$33,983,538 for the biennium beginning July 1, 2013, for local governments specified in bill. Provides a \$100,000 emergency grant appropriation for infrastructure projects. Appropriates \$900,000 for infrastructure planning grants for local governments. Appropriates \$17 million to the Department of Natural Resources and Conservation for the Fort Peck-Dry Prairie rural water authority and the Rocky Boys-North Central Montana regional water authority.
 - (a) Effective July 1, 2013.
 - (b) New language.
- **HB 388** - Revises Distressed Wood Products Industry Revolving Loan Account by directing that money repaid to account be reloaned only to individuals or businesses engaged in the wood processing.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 90-1-501, MCA.
- **SB 29** - Revise primary sector workforce program laws by cleaning up language related to terms and providing for rulemaking.
 - (a) Effective Feb. 11, 2013.
 - (b) Amends 39-11-103 and 39-11-202, MCA.
- **SB 30** - Revise Big Sky Trust Fund wage rate laws to include a definition of employee benefits and to allow the average weekly wage to be either the lesser of 170% of the Montana current minimum wage or the current average weekly wage of the county in which the employees covered by the grant are employed.
 - (a) Effective Feb. 18, 2013.
 - (b) Amends 90-1-201 and 90-1-204, MCA.

EMPLOYMENT/LABOR/UNEMPLOYMENT INSURANCE

- **HB 127** - Revise unemployment insurance laws by: specifying employers are to meet rule-established deadlines for reporting information to the department; assigning a percentage of penalty payments to the unemployment insurance fund; providing for penalties and distribution of penalties regarding false statements or failure to disclose material facts to obtain or increase unemployment benefits; and clarifying the terms for "rehire" related to temporary separation from employment for child support purposes.
 - (a) Effective Oct. 1, 2013.

- (b) Amends 39-51-401, 39-51-1125, 39-51-1212, 39-51-1214, 39-51-3106, 39-51-3201, and 40-5-901, MCA.
- **HB 261**- Revises unemployment insurance laws by allowing an experience-rated business impacted by a declared natural disaster not to be charged for unemployment insurance purposes if a laid-off employee claims unemployment insurance benefits and would have been eligible for federal disaster unemployment assistance except for receipt of state unemployment insurance benefits.
 - (a) Retroactive to claims filed on or after January 1, 2011.
 - (b) Amends 39-51-301, 39-51-1213, and 39-51-1214, MCA.
- **HB 464** - Revises laws related to prevailing wages, including reducing from 10 to 5 the number of prevailing wage rate districts for building construction services and nonconstruction services. Allows the higher of the collective bargaining rate or the surveyed rate to be the prevailing rate. Describes how fringe benefits are to be set. Includes electrical contractors and plumbers in commercial construction as those who may be surveyed for prevailing wage rates. Adds zone pay and per diem contingencies. Allows department to determine if project is highway construction, heavy construction, or building construction based on labor hours worked.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 18-2-402, 18-2-411, 18-2-413, and 18-2-414, MCA. Includes new language for zone pay and per diem as well as the department determination of project type.
- **SB 46** - Revises Montana apprenticeship program laws by clarifying terminology, especially by removing term "trade" or "craft" in favor of "occupation".
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 39-6-101, 39-6-102, 39-6-104, 39-6-106, 39-6-107, and 39-6-108, MCA.
- **SB 47** - Revise mine safety training and inspection laws by allowing department to conduct mine safety training and offer consulting services regarding safety and industrial health. Also allows department to recover expenses for doing so. Revises from quarterly to semiannually the state examination of coal mines.
 - (a) Effective July 1, 2013.
 - (b) Amends 50-73-406, MCA, and provides new language for training, consulting, and recovery of costs.
- **SB 127** - Revises unemployment law's definition of misconduct to incorporate what had been included in rule, including insubordination and repeated inexcusable tardiness.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 39-51-201, MCA.
- **SB 128** - Revises unemployment insurance terms so that an employer with an experience rating is not to be charged with respect to unemployment benefits when an employee leaves without good cause. Defines good cause arising from the work environment and defines "compelling reasons". Amended title of bill does not match body of bill, which is more correct than title, which refers to leaving "with good cause".
 - (a) Effective July 1, 2013.
 - (b) Amends 39-51-1214, MCA.

- **SB 185** - Revises veteran public employment hiring laws by coordinating the order of preferences between disabled veterans, people with disabilities, and others eligible for a hiring preference. Also allows public employers to extend a job interview to a veteran for an existing job opening for which the veteran qualifies.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 39-29-102, 39-29-103, 39-29-112, 39-30-107, and 39-30-201, MCA.

INSURANCE

- **HB 22** - Revises state auditor laws on insurance, including laws related to confidentiality of working papers, fraud, custodial agreement requirements, farm mutual insurer meeting times, and membership requirements for the Guaranty Association Board of Directors. Also revises the definition of "home state", clarifies licensing requirements for nonresident adjusters and consultants, and revises license display requirements. Modifies the type of plans carriers are to offer to small employers, revises captive insurance laws, including protected cell captive insurers, and repeals a requirement for insurers and health service corporations to offer group uniform health benefit coverage.
 - (a) Effective April 9, 2013.
 - (b) Amends 33-1-409, 33-1-1202, 33-2-604, 33-2-606, 33-2-611, 33-2-612, 33-2-1303, 33-3-401, 33-4-302, 33-10-104, 33-17-102, 33-17-214, 33-17-301, 33-17-503, 33-17-505, 33-17-1101, 33-22-1811, 33-22-2002, 33-28-104, 33-28-202, and 33-280301, MCA.
- **HB 48** - Revises Insure Montana laws. This bill removes a trigger for a transfer of funds between either premium assistance or premium incentive payments and the tax credit portion of the Insure Montana program. The bill also clarifies the eligibility requirements for a small business and states that an owner or employee whose household income is greater than 400% of the federal poverty level is not eligible for a premium assistance payment but may be eligible for a premium incentive payment. The bill also allows an eligible small employer to participate in the premium assistance and premium incentive programs without a requirement of not having sponsored within 2 years of application for the program a group health plan with creditable coverage.
 - (a) Effective April 30, 2013.
 - (b) Amends 33-22-2004, 33-22-2006, 33-22-2007, and 33-22-2008, MCA.
- **HB 79** - Constitutional referendum to rename the State Auditor's Office to the Commissioner of Securities and Insurance.
 - (a) Effective if approved by general election ballot in November 2014.
 - (b) Amends the Montana Constitution's Article IV, section 8, Article VI, sections 1, 2, 3, 4, 6, and 7, and Article X, section 4.
- **HB 87** - Provides state insurance commissioner with health insurance rate review authority, requiring health insurance producers to file plans 60 days prior to the rate taking effect. The commissioner is to review the plan to determine if the rate is excessive, inadequate, unjustified, or unfairly discriminatory according to criteria established in the bill. Allows deficiency notice. Provides an appropriation of \$204,000 for each fiscal year that begins July 1, 2013, or July 1, 2014.
 - (a) Effective July 1, 2013, and applies to rate filing affecting coverage in the

individual or small group market on or after Jan. 1, 2014.

(b) New language and amends 33-31-111.

- **HB 250** - Requires navigators, assisters, and insurance producers to be trained and certified for providing information on insurance policies offered through a federally facilitated health insurance marketplace or exchange. Requires the commissioner of insurance to establish a navigator certification and training program and approve courses. Requires background examination for those obtaining navigator certification.
 - (a) Effective July 1, 2013.
 - (b) New language to be codified in Title 33, ch. 17. Amends 33-2-708, 33-17-102, 33-17-220, and 33-17-231, MCA.
- **HB 502** - Generally revises farm mutual insurance laws and provides a managing general agent waiver to certain persons handling risk for farm mutual insurers. Allows farm mutual insurers to retain a portion of their liability limit on risks.
 - (a) Effective Oct. 1, 2013.
 - (b) New language on managing general agent waiver. Amends 33-2-1501 and 33-4-502, MCA.
- **HB 544** - Allows the commissioner to determine what an adequate provider network is. Considers a network adequate if it has at least 80% of the licensed individual physicians actively practicing in Montana and 90% of the facilities operated as hospitals. Limits to 25% the differential payment for networks determined not to be adequate.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 33-22-1706, MCA.
- **HB 545** - Allows an employer to fund the total cost of a qualifying employee's individual health insurance policy and exempts that payment from taxation for individual income tax purposes.
 - (a) Effective Jan. 1, 2014.
 - (b) New language and amends 15-30-2110 and 33-22-1804, MCA.
- **HB 614** - Provides for limited lines travel insurance. Allows businesses that offer travel services to also sell travel insurance under certain conditions. These include that a limited lines travel insurance producer is licensed, maintains a registry of each travel retailer that sells on the insurance producer's behalf, and designates an employee to oversee compliance. A travel retailer may receive compensation for activities related to offering travel insurance on behalf of the limited lines travel insurance producer.
 - (a) Effective Oct. 1, 2013.
 - (b) New language to be codified in Title 33, ch. 17, and amends 33-17-212, MCA.
- **SB 28** - Authorizes Montana to join the Interstate Insurance Product Regulation Compact. Includes compact language plus opt-out language if Montana's insurance commissioner determines that any uniform standard provides a materially lower level of protection or materially diminishes the rights of Montana policyholders or applicants. Affects individual and group annuity and life insurance.
 - (a) Effective Oct. 1, 2013.
 - (b) Compact language and amends 33-1-311 and 33-1-501, MCA.
- **SB 34** - Creates unclaimed life insurance benefits act by requiring insurers to confirm whether a person with a life insurance policy has died.

- (a) Effective Jan. 1, 2014.
 - (b) New language.
- **SB 55** - Requires health insurance issuers to pay for routine patient costs for patients in an approved clinical trial. May require a participant in an approved clinical trial to receive services from a provider in the issuer's network plan if the provider is part of the trail and accepts the individual as a participant in the trial.
 - (a) Effective March 27, 2013.
 - (b) New language to be codified in Title 33, ch. 22, and amendments to 2-18-704, 33-22-101, 33-31-111, 33-35-306, 53-4-1005, and 53-6-101, MCA.
- **SB 84** - Establishes standards and structure for patient-centered medical homes by providing the Commissioner of Insurance with rulemaking authority to establish requirements for health care providers who want to be certified as a patient-centered medical home. Establishes that state and federal antitrust laws prohibiting collusion don't apply to standards used for the patient-centered medical home program.
 - (a) Effective April 30, 2013.
 - (b) New language and amends 20-25-1403, 33-1-102, 33-31-111, 33-35-306, and 53-6-113, MCA.
 - (c) Terminates December 31, 2017.
- **SB 99** - Revises laws related to motor vehicle insurance verification, including references to use of an on-line verification system and the use of random checks to identify if vehicles are covered by insurance other than those in the on-line system.
 - (a) Effective April 3, 2013.
 - (b) Amends 61-3-303, 61-3-312, and 61-6-105, MCA.
- **SB 158** - Creates a certificates of insurance model act, which allows for standard certificate forms for property or casualty insurance.
 - (a) Effective July 1, 2013.
 - (b) New language.
- **SB 172** - Revises laws related to dental insurance plans and services so that provider agreements are limited to covered services.
 - (a) Effective July 1, 2013.
 - (b) New language.
- **SB 223** - Requires the Montana Comprehensive Health Association, which provides coverage for those unable to buy insurance due to preexisting conditions or those who have portability plans, to develop a plan for terminating the association based on a change in market conditions, such as insurers being prohibited from denying coverage based on preexisting conditions. Provides the insurance commissioner with authority to approve the termination plan and order dissolution of the MCHA board of directors. Outlines criteria for the MCHA board of directors to address in the termination plan.
 - (a) Effective May 6, 2013.
 - (b) Amends 33-22-1501, 33-22-1502, and 33-22-1504, MCA.
- **SB 264** - Creates insurance licensure and regulations for sellers of portable electronics insurance.
 - (a) Effective Aug. 1, 2013.
 - (b) New language to be codified in Title 33, ch. 24.

- **SB 270** - Requires insurance coverage of telemedicine services if those services would otherwise be covered by an insurance policy, plan, or certificate of coverage and are supplied by a health care provider, including genetics counselors and diabetes educators.
 - (a) Effective Jan. 1, 2014.
 - (b) New language to be codified in Title 33, ch. 22, and amendments to 33-22-101, 33-31-111, and 33-35-306, MCA.
- **SB 297** - For health care providers that allow discounts under a provider agreement, the terms of the negotiated payment arrangements do not apply to casualty or property insurance claims unless specific arrangements are made between the providers and the casualty-property insurers and only for covered services. Allows the casualty-property payment to be applied toward satisfaction of a health insurance or other health policy copayment or deductible.
 - (a) Effective May 7, 2013.
 - (b) New language to be codified in the insurance statutes, Title 33, ch. 1, and health policy statutes, Title 50, ch. 4.

LIVESTOCK (see also Agriculture)

- **HB 114** - Clarifies what is considered garbage and therefore usable for animal feed, removing reference to vegetable wastes and retaining waste related to animal products.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 81-2-501, MCA.
- **HB 115** - Revises slaughterhouse regulations by allowing alternative livestock ranch animals and rabbits to be slaughtered in regulated establishments other than those used for horses.
 - (a) Effective Feb. 27, 2013.
 - (b) Amends 81-9-232, MCA.
- **HB 323** - Allows Livestock Loss Board to reimburse livestock producers for livestock losses from grizzly bears as well as from wolves.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 2-15-3110, 2-15-3111, 2-15-3112, 2-15-3113, and 81-1-110, MCA.
- **HB 356** - Revises livestock laws to incorporate amendments to federal laws on meat inspection and poultry inspection made prior to March 27, 2013.
 - (a) Effective March 27, 2013.
 - (b) Amends 81-9-219, MCA.
- **HB 395** - Reduces membership of Livestock Loss Board from 7 to 5 members of which 3 are to be actively involved in the livestock industry and 2 are to be public members.
 - (a) Effective Oct. 1, 2013.
 - (b) Amends 2-15-3110, MCA.
- **HB 399** - Allows sale of eggs at farmer's market and provides criteria for sales, including a requirement for a Department of Livestock notice regarding grade, quality, size, weight, and date of grading. (See Agriculture for amended sections and effective date.)
- **SB 86** - Separates agisters' liens from mechanics liens or other liens for service based on a court decision requiring due process and increased notifications for mechanics liens. The cost of continuing to feed animals on which an agister's lien may be imposed was the

sponsor's explanation of a reason to separate the types of liens and retain the former, somewhat speedier, process for notification of sale.

(a) Effective Oct. 1, 2013.

(b) Amends 71-3-1201, MCA, and creates new language to be codified in Title 71, chapter 3.

SECURITIES

- **HB 81** - Revise securities restitution assistance fund laws, including a temporary (until July 1, 2017) assignment of a portion of filing fees or renewal fees to the restitution fund.
 - (a) Effective March 7, 2013.
 - (b) Amends 30-10-115, 30-10-209, and 30-10-1004, MCA.
- **SB 20** - Revise security laws related to multilevel marketers by requiring registration and providing for regulation of certain multilevel distribution companies (excluding members of the direct selling association).
 - (a) Effective April 24, 2013.
 - (b) Amends 30-10-301, 30-10-303, 30-10-324, and 30-10-1004, MCA. Repeals 30-10-326, MCA.

WORKERS' COMPENSATION

- **HB 82** - Revises applicability of extraterritorial workers' compensation agreements and reciprocity of workers' compensation coverage. Specifies that employees from another state who are engaged in the construction industry must be covered by Montana's work comp laws unless there is a reciprocal agreement negotiated by the Department of Labor and Industry, with approval by the governor, with the state in which the contractor is based. Outlines the terms required in the reciprocal agreement.
 - (a) Effective March 20, 2013, and applies to agreements entered into on or after that date.
 - (b) Amends 39-71-402, MCA.
- **HB 232** - Provides a higher standard of proof (clear and convincing evidence of an intentional and deliberate act) for claims outside the exclusive remedy of workers' compensation laws.
 - (a) Effective July 1, 2013.
 - (b) Amends 39-71-413.
- **SB 323** - Revises workers' compensation laws on prescribing schedule II and III drugs. Specifies that ongoing prescriptions for Schedule II and III drugs may be ordered only by a treating physician and allows the treating physician to query the prescription drug registry prior to an initial or refill prescription. Requires a notation in the patient's medical file for each query. Excludes certain circumstances, including immediately prior to or after surgery or during emergencies.
 - (a) Effective July 1, 2013.
 - (b) New language to be codified in Title 39, ch. 71, part 11.
- **HJ 25** - Interim study of workers' compensation and subrogation, selected subjects.