



SENATE STANDING COMMITTEE REPORT

February 19, 2005

Page 1 of 1

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 497** (first reading copy -- white) **do pass as amended.**

Signed: _____

Vicki Cocchiarella
Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Page 3, lines 13 through 19.

Strike: subsection (4) in its entirety

Insert: "(4) A license issued under subsection (1) (e) that becomes located within 5 miles of an incorporated city or town because of annexation after [the effective date of this act] may not be transferred to another location within the city quota area for 5 years from the date of the annexation."

2. Page 4, line 29 through page 5, line 5.

Strike: subsection (6) in its entirety

Insert: "(6) An all-beverages license issued under subsection (5) that becomes located within 5 miles of an incorporated city or town because of annexation after [the effective date of this act] may not be transferred to another location within the city quota area for 5 years from the date of annexation."

- END -

Committee Vote:

Yes 11, No 0.

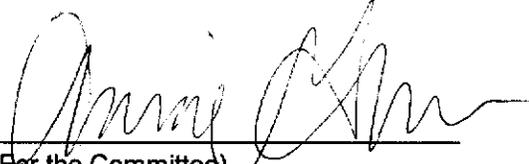
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COMMITTEE FILE COPY

TABLED BILL

The **SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE** TABLED SB 488, by motion, on **Saturday, February 19, 2005**.



(For the Committee)



(Secretary of Senate)

10:00 2-19
(Time) (Date)

February 19, 2005

Annie L. Glover, Secretary

Phone: 444-4762



SENATE STANDING COMMITTEE REPORT

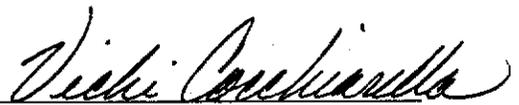
February 19, 2005

Page 1 of 1

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 486** (first reading copy -- white) **do pass**.

Signed:


Senator Vicki Cocchiarella, Chair

- END -

Committee Vote:
Yes 11, No 0.

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SENATE STANDING COMMITTEE REPORT

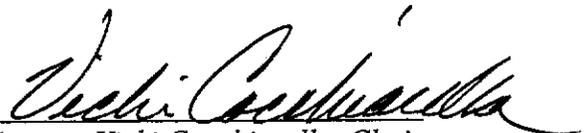
February 19, 2005

Page 1 of 2

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 457** (first reading copy -- white) do pass as amended.

Signed:


Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Title, page 1, line 6.

Following: "SECTIONS"

Insert: "33-15-1103,"

Following: "33-15-1105"

Insert: ", "

2. Page 1.

Following: line 9

Insert: "Section 1. Section 33-15-1103, MCA, is amended to read:

"33-15-1103. **Midterm cancellation.** (1) An insurer may not cancel an insurance policy before either the expiration of the agreed term or 1 year from the effective date of the policy or renewal date, whichever is less, except:

(a) for reasons specifically allowed by statute;

(b) for failure to pay a premium when due; or

(c) on grounds stated in the policy which pertain to the

following:

(i) material misrepresentation;

(ii) substantial change in the risk assumed, except to the extent that the insurer should reasonably have foreseen the change or contemplated the risk when the contract was written;

(iii) substantial breaches of contractual duties, conditions, or warranties;

(iv) determination by the commissioner that continuation of the policy would place the insurer in violation of this code;

(v) financial impairment of the insurer; or

(vi) any other reason approved by the commissioner.

Committee Vote:

Yes 11, No 0.

411421SC.ssc

(2) Cancellation Except as provided in 33-23-401,
cancellation under subsection (1) is not effective until 10 days
after a notice of cancellation is either delivered or mailed to
the insured.

(3) Subsections (1) and (2) do not apply to a newly issued
insurance policy if the policy has been in effect less than 60
days at the time the notice of cancellation is mailed or
delivered. ~~No~~ A cancellation under this subsection is not
effective until 10 days after the notice is delivered or mailed
to the insured.

(4) If a policy has been issued for a term longer than 1
year and if either the premium is prepaid or an agreed term is
guaranteed for additional premium consideration, the insurer may
not cancel the policy except:

- (a) for reasons specifically allowed by statute;
- (b) for failure to pay a premium when due; or
- (c) on grounds stated in the policy which pertain to those
grounds listed in subsection (1)(c)."

Renumber: subsequent sections

3. Page 2, line 6.

Following: "premiums,"

Strike: "as provided" through "33-15-1103,"

4. Page 2, line 7.

Strike: "10"

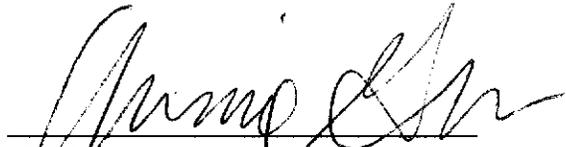
Insert: "20"

- END -

COMMITTEE FILE COPY

TABLED BILL

The **SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE** TABLED SB 444, by motion, on **Saturday, February 19, 2005.**



(For the Committee)



(Secretary of Senate)

10:00, 2-21
(Time) (Date)

February 21, 2005

Annie L. Glover, Secretary

Phone: 444-4762



SENATE STANDING COMMITTEE REPORT

February 19, 2005

Page 1 of 4

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that Senate Bill 311 (first reading copy -- white) do pass as amended.

Signed:

Vicki Cocchiarella
Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Title, page 1, line 4.

Following: "ACT"

Strike: "ADOPTING A MODEL ACT REGARDING"

Insert: "REGULATING"

2. Title, page 1, line 7.

Following: "UNDERWRITING;"

Insert: "LISTING CONDITIONS FOR UNDERWRITING OR RATING EXCEPTIONS;"

3. Page 2, lines 3 through 4.

Following: "means"

Strike: "a denial" on line 3 through "change in" on line 4

Insert: ", in regard to"

4. Page 2, line 5.

Following: "insurance"

Insert: ", any of the following:

(a) denial, nonrenewal, or cancellation of coverage;

(b) an increase in any charge for coverage;

(c) failure to give an otherwise available credit-related discount; or

(d) a reduction or any other adverse or unfavorable change in the terms of coverage or the amount of coverage"

Committee Vote:

Yes 11, No 0.

411422SC.ssc

5. Page 2, line 28.
Following: "information."
Insert: "(1)"

6. Page 2, line 30.
Strike: "(1)"
Insert: "(a)"
ReNUMBER: subsequent subsections

7. Page 3, line 2.
Following: "insurance"
Strike: "solely"

8. Page 3, line 4.
Strike: "(1)"
Insert: "(1)(a)"

9. Page 3, line 5.
Following: "insurance"
Strike: "solely"

10. Page 3, line 7.
Following: "consumer"
Strike: "solely"

11. Page 3, line 11.
Strike: "(a)"
Insert: "(i)"
ReNUMBER: subsequent subsections

12. Page 3, line 20.
Strike: "(7)"
Insert: "(1)(g)"

13. Page 3, line 21.
Strike: "(a)"
Insert: "(i)"
ReNUMBER: subsequent subsections

14. Page 3, line 26.

Strike: "(7)"

Insert: "(1)(g)"

15. Page 3, line 27.

Following: "insurer"

Insert: "may but"

16. Page 3, line 28.

Strike: "(7)(a)"

Insert: "(1)(g)(i)"

17. Page 3, line 29.

Strike: (i)

Insert: "(A)"

Renumber: subsequent subsections

18. Page 4, line 1.

Strike: "However" through "guidelines."

19. Page 4, lines 3 through 4.

Strike: "However" on line 3 through "guidelines." on line 4

20. Page 4, lines 7 through 8.

Following: "use" on line 7

Insert: "a credit score that treats any of"

Strike: "in any" on line 7 through "information" on line 8

21. Page 4, line 15.

Strike: "or"

22. Page 4, line 18.

Following: "considered"

Insert: ";

(f) the number of credit inquiries;

(g) the consumer's use of a particular type of credit card, charge card, or debit card or the number of credit cards obtained by a consumer;

(h) a loan if information from the credit report makes it evident that the loan is for the purchase of an automobile or a personal residence. However, an insurer may consider the bill payment history of any loan, the total number of loans, or both.

(i) the consumer's total available line of credit or total debt. However, an insurer may consider:

- (i) the consumer's bill payment history on the debt; or
- (ii) the total amount of outstanding debt if the outstanding debt exceeds the total line of credit"

23. Page 4.

Following: line 18

Insert: "(2) (a) An insurer shall, on written request from an applicant or an insured, provide reasonable underwriting or rating exceptions for a consumer whose credit report has been directly affected by an extraordinary event.

(b) An insurer may require reasonable written and independently verifiable documentation of the event and the effect of the event on the consumer's credit before granting an exception. An insurer is not required to consider repeated extraordinary events or extraordinary events the insurer reconsidered previously.

(c) An insurer may also consider granting an exception to a consumer for an extraordinary event not listed in this section.

(d) An insurer may not be considered to be out of compliance with its filed rules and rates as a result of granting an exception pursuant to this subsection (2).

(e) As used in this subsection (2), "extraordinary event" means:

- (i) expenses related to a catastrophic injury or illness;
- (ii) temporary loss of employment;
- (iii) death of an immediate family member; or
- (iv) theft of identity pursuant to 45-6-332."

24. Page 5, lines 25 through 26.

Following: "insurers."

Strike: "A filing" on line 25 through "information." on line 26

- END -

