

**2020 LEGISLATIVE BILL SUMMARY  
MISSISSIPPI INSURANCE DEPARTMENT**

**COMMISSIONER MIKE CHANEY**

## 2020 Mississippi Legislative Session - Department of Insurance – Legislative Summary

### General:

HB 408- Credit for reinsurance; provide requirements for.	Approved: 6/22/2020 Effective: 7/1/2020	Amends §§ 83-19-151 and 83-19-157 to provide for a definition of reciprocal jurisdiction and to provide additional requirements for credit for reinsurance regarding reciprocal jurisdictions. This bill was a mandatory NAIC accreditation bill.
HB 1253 State Fire Acad.; designate as first responder program	Approved: 7/1/2020 Effective: 7/1/2020	Amends Section 45-11-7 to allow the State Fire Academy to be an authorized medical first responder training program and to provide training for medical first responders.
HB 1796 State Flag; revise with a commission and require words "In God We Trust."	Approved: 6/30/2020 Effective: 7/1/2020	This bill removes the former official Mississippi State Flag and establishes a Flag Commission to establish a new flag design to be voted upon in November 2020.
SB 3049 Mississippi Back to Business Liability Assurance Act	Approved: 7/8/2020 Effective: 7/1/2020	This bill provides liability protection to individuals, state and local government, associations, for-profit and nonprofit entities, religious and charitable organizations against lawsuits relating to COVID-19 as long as those entities have been in compliance with the guidelines set forth by the State Department of Health.

### Health:

HB 95 - Commissioner of Insurance; provide shall resolve certain disputes between provider and insured regarding billing.	Approved: 6/30/2020 Effective: 7/1/2020	Amends § 83-9-5 to allow the MID to adopt regulations and resolve disputes between healthcare providers and consumers when there is a balance billing issue.
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SB 2227 - MS Life and Health Insurance Guaranty Association Act; revise to include HMO subscriber contracts and certificates.	Approved: 6/10/2020 Effective: 7/1/2020	Amends §§ 83-23-203; 83-23-205; 83-23-209; 83-23-211; 83-23-215; 83-23-217; 83-23-221; 83-23-223; 83-23-225 and 83-23-235 to include HMOs as members of and subject to the guaranty association. Also provides a more fair method for assessing for long term care insolvencies by prescribing a 50/50 split between the life insurers and the health insurers.
SB 3052 – Driver's licenses; credit time of inability to apply due to COVID-19 closures toward period for holding prerequisite permit; First Responders Health and Safety Act.	Approved: 7/8/2020 Effective: 7/1/2020	Amends Section 7, Chapter 467, Laws of 2019, to review the effective date of the Mississippi First Responders Health and Safety Act to July 1, 2022; and amends § 25-15-409 to revise the date by which the municipalities must show proof of insurance coverage to January 1, 2023; and also moves the responsibility of the administration of the First Responders Health and Safety Act from the Attorney General to the Commissioner of Insurance.

### Property and Casualty:

HB 773 - Commercial Lines Modernization Act; enact.	Approved: 7/7/2020 Effective: 7/1/2020	<p>Amends §§ 45-45-27; 83-2-7 and 83-2-9.</p> <ul style="list-style-type: none"> <li>• Section 83-2-7 is amended to provide that rates, supplementary rate information, policy forms and endorsements for certain commercial lines insurance coverages shall be exempt from filing and approval requirements, but policy forms must be filed on an informational basis.</li> <li>• Section 83-2-9 is amended to allow MID to establish parameter regarding the need for actuarial review of property and casualty rate filings when such an actuarial review is unneeded.</li> <li>• Section 45-45-27 is also amended to provide that the owner of an elevator that services only two adjacent floors may request an exemption from the annual inspection requirements under the Mississippi Conveyance Safety Act.</li> </ul>
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SB 2230 - Uninsured Motorist Act; provide coverage for claims involving vehicles owned or operated by persons protected by the MSTCA.	Approved: 6/10/2020 Effective: 6/10/2020	In 2019, the US 5th Circuit Court decided in <i>McGlothlin vs. State Farm</i> that damages caused by persons immune under the MS Tort Claims Act (MTCA) could not be recovered under the victim's UM coverage. As a result, there was precedent for an insurance company to determine that UM coverage does not apply for damages caused by persons immune via the MTCA. This bill amends Section 83-11-101 to allow for the application of UM coverage in those circumstances.
SB 2301 Auto insurance; remove repealer on statute requiring repair business or lienholder to be added as payees on claim checks.	Approved: 6/10/2020 Effective: 7/1/2020	Section 83-11-551 is amended to remove the repealer on this section.
SB 2709 - Insurance premium discount for hurricane or windstorm damage mitigation; include commercial property.	Approved: 6/23/2020 Effective: 9/1/2019	The bill amends Sections 83-75-1, 83-75-3, and 83-73-5, which required insurance companies to offer a discount or rate reduction to residential building owners who build new construction to hurricane and windstorm-resistant standard, to offer the same discounts and rebates to commercial construction that meet the stated standards.

### Appropriation:

HB 1698 - Appropriation; Insurance, Department of.	Approved: 7/7/2020 Effective: 7/1/2020	Provides an appropriation from the General Fund to the MID for FY21.
HB 1699 – Appropriations: State Fire Academy	Approve: 7/7/2020 Effective: 7/1/2020	Provides an appropriation from the General Fund to the State Fire Academy for FY21.