



LISA

Life Insurance
Settlement Association

Legislation of Interest

as of 11 August 2018

About this page

The Legislation of Interest page is intended as a brief reference for all currently proposed legislation or drafts related to the life settlement industry. While we use multiple sources to acquire this information, we strongly urge you to use primary sources (i.e. state legislative websites, etc.) when following legislative activity. Each state's legislative process is uniquely nuanced. Furthermore, the current status of a particular bill may depend on a number of varying factors – the state's legislative process, deadlines, bill sponsors, active outside interests and political circumstances. Please be aware that this page is not meant as a definitive source for legal information.

We always welcome your views via e-mail: support@lisa.org.

Resources

Resource	Description
2018 Legislative Calendar	2018 state session dates, pre-filing dates and any "carry-overs" (Links to external website).
State Legislative Effective Dates	Offers effective dates for signed legislation, as spelled out by state-approved legislative processes (Links to external website).

About 2018 Legislation

What follows are the broad legislative issues that affect our industry in each state. Proposed legislation falls under two overarching categories: General Legislation and Other Bills.

I. GENERAL LEGISLATION¹

These bills reflect the major legislative proposals with which we are concerned.

*Settlement Legislation
Broad Insurance Legislation
Producer Legislation*

II. OTHER BILLS OF INTEREST²

These bills reflect peripheral subjects with which we are concerned.

<i>Medicaid Life Settlement</i>	<i>Producer Authority</i>
<i>Consumer Disclosure</i>	<i>Licensing</i>
<i>Interference with Assignment</i>	<i>Senior Protection in Annuities Transactions</i>
<i>Securities/Investment</i>	<i>Insurable Interest</i>
<i>Replacement</i>	<i>Principle Based Reserves</i>
<i>Anti-fraud</i>	<i>Comprehensive Modernization</i>
<i>Notice to the Insured</i>	<i>Scrivener's Legislation</i>
<i>Premium Finance</i>	

III. PASSED LEGISLATION IN 2018

This legislation passed its respective state legislatures and received the governor's signature.³

IV. DEAD LEGISLATION IN 2018

This legislation is effectively inactive.⁴

V. PASSED LEGISLATION IN 2017

This legislation passed its respective state legislatures and received the governor's signature.

VI. DEAD LEGISLATION IN 2017

This legislation is effectively inactive.⁵

¹ States with legislation under these headings appear alphabetically.

² Examples of the types of bills we would follow.

³ Each bill has a specific "effective date" upon which the bill becomes *in-force*. In some cases, the date is specifically cited in the bill language. In other cases, the date is set by the respective state legislature's rules (E.g. Effective 90 days upon adjournment, etc.).

⁴ Each state's legislative rules are unique and often allow for a bill to be revived through a procedural maneuver. In some cases, bills are cited as "dead" as a result of unique knowledge obtained by LISA yet they may technically remain "alive."

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Legislative Color Code

Green: We support

Purple: We are neutral or Monitoring

Red: We oppose

I. GENERAL LEGISLATION⁶

State	Bill ⁷	LISA Comment ⁸	Current Status ⁹	Language Source	Notes
N/A	N/A	N/A	N/A	N/A	N/A

II. OTHER BILLS OF INTEREST

State	Bill ¹⁰	LISA Comment ¹¹	Current Status ¹²	Bill Type ¹³	Notes
Massachusetts	HB 508	We support this bill.	05/24/18, Accompanied a study order, see H4528 .	Medicaid Life Settlement	Sponsor: Rep. Edward Coppinger

III. PASSED LEGISLATION IN 2018

Delaware	§ 7503 License and Bond Requirements - Amends Viatical Settlement Act	We supported this bill.	07/23/18, Signed by Governor Carney.	Financial Responsibility	Effective: 07/23/18
Rhode Island	Chapter 4.10 - Mandatory Alternatives to Lapse or Surrender	We supported this bill.	07/02/18, Signed by Governor.	Consumer Disclosure	Effective: 01/01/19

IV. DEAD LEGISLATION IN 2018

N/A	N/A	N/A	N/A	N/A	N/A
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V. PASSED LEGISLATION IN 2017

Arizona	HB 2070	We were neutral.	04/14/17, Signed by Governor.	Makes technical changes to life	Enacted: 04/14/17
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⁶ States with legislation under these headings appear alphabetically.

⁷ This represents the most recent version of the bill provided by the respective state legislature.

⁸ Our position may change as a given bill changes. For clarification, join the INLR call bi-weekly on Thursday. Cited here, may also be bills that have passed both houses but are not yet signed by the Governor.

⁹ This language is usually taken from the state legislature's website verbatim.

¹⁰ This represents the most recent version of the bill provided by the respective state legislature.

¹¹ Our position may change as a given bill changes. For clarification, join the INLR call bi-weekly on Thursday.

¹² This language is usually taken from the state legislature's website verbatim.

¹³ General bill description.

				settlement broker licensing requirements.	
Delaware	SB 66	We opposed this bill.	09/14/17, Signed by Governor.	NAIC	Effective: 09/14/17
Federal	HR 1 – Tax Cuts and Jobs Act	We supported this bill.	12/22/17, Signed by President Donald Trump.	Tax Reporting for Life Settlement Transactions; Clarification of Tax Basis of Life Insurance Contracts; Exception to Transfer for Valuable Consideration Rules	Effective: Various Dates
Florida	Chapter 2017-178 (HB 1007)	We supported certain aspects of this bill.	06/26/17, Signed by Governor.	Makes amendments to Viatical Settlements Act and provides for Limited Consumer Disclosure.	Effective: 06/26/17
Maine	Chapter 75 - SP 473 (LD1386)	We were neutral.	05/19/17, Signed by Governor.	An Act to Clarify the Public Nature of Annual Statements of Life Settlement Providers	Effective: 09/19/17
Tennessee	Public Chapter 424 - Securities	We supported this bill.	05/18/17, Signed by Governor.	Securities	Effective: 05/18/17

VI. DEAD LEGISLATION IN 2017

Federal	HR 1262	We support this bill.	02/28/17, Introduced. Referred to the House Committee on Ways and Means	To Amend the Internal Revenue Code of 1986 to Clarify the Tax Treatment of Certain Life Insurance Contract Transactions, and for Other Purposes.	Sponsors: Rep. Patrick Tiberi [R-OH-12]; Rep. Ron Kind [D-WI-3]
Florida	HB 1205 (Engrossed)	We oppose this bill, as	05/05/17, Indefinitely postponed and withdrawn from	STOLI/5-Year Ban	Sponsor: Rep. Cyndi Stevenson

	SB 1012 (CS/CS)	engrossed. We support this bill, as amended.	consideration. 05/05/17, Read 2 nd time. Substituted CS/CS/CS/HB 1007. Laid on Table, refer to HB 1007.	STOLI/Limited 5-Year Ban/Limited Disclosure	Sponsor: Sen. Jeff Brandes
	SB 1600 (CS/CS)	We support this bill, as amended.	05/05/17, Indefinitely postponed and withdrawn from consideration.	STOLI/Limited 5-Year Ban/Limited Disclosure	Sponsor: Sen. Dana Young
Rhode Island	HB 5628 Sub A	We support this bill.	06/29/17, Senate Commerce Committee recommended passage of Sub A in concurrence.	Consumer Disclosure/Anti-Retaliation	Sponsors: Reps. Kennedy ; Casey ; Johnston ; Kazarian ; Messier
Texas	HB 3008	We support this bill.	05/11/17, Referred to Senate Business & Commerce Committee.	Anti-Retaliation	Sponsor: Rep. Senfronia Thompson
	SB 1285	We support this bill.	04/25/17, Considered in public hearing (Business & Commerce). Left pending in committee.	Anti-Retaliation	Sponsor: Sen. Brandon Creighton
	HB 2581	We have issues with this bill, as written.	03/27/17, Read first time. Referred to Insurance.	Anti-Retaliation	Sponsor: Rep. Senfronia Thompson

Note: The information contained in this chart is for general purposes only. The information contained therein is provided by the Life Insurance Settlement Association (LISA) and while we strive to keep the information up to date and correct, we make no representations or warranties of any kind, express or implied, about the completeness, accuracy, reliability, suitability or availability with respect to the information contained within the chart. Therefore, any reliance placed on such information is strictly at your own risk.

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