

VIRGINIA ACTS OF ASSEMBLY -- 2003 SESSION

CHAPTER 415

An Act to amend and reenact § 38.2-612 of the Code of Virginia, relating to insurance; bases for adverse underwriting decisions.

[H 1948]

Approved March 16, 2003

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-612 of the Code of Virginia is amended and reenacted as follows:

§ 38.2-612. Bases for adverse underwriting decisions.

A. No insurance institution or agent may base an adverse underwriting decision in whole or in part:

1. On the fact of a previous adverse underwriting decision or on the fact that an individual previously obtained insurance coverage through a residual market mechanism. However, an insurance institution or agent may base an adverse underwriting decision on further information obtained from an insurance institution or agent responsible for a previous adverse underwriting decision;

2. On personal information received from an insurance-support organization whose primary source of information is insurance institutions. However, an insurance institution or agent may base an adverse underwriting decision on further personal information obtained as the result of information received from an insurance-support organization; or

3. On the fact that an individual previously obtained insurance coverage from a particular insurance institution or agent.

B. No insurance institution or agent may base an adverse underwriting decision solely on the loss history of a previous owner of the property to be insured.