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HOUSE BILL NO. 2397

Offered January 17, 2011

A *BILL to amend the Code of Virginia by adding a section numbered 38.2-209.1, relating to the representation of insured persons by staff counsel for insurance carrier.*

Patron—Joannou

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 38.2-209.1 as follows:

§ 38.2-209.1. Representation of insured by staff counsel for insurance carrier.

A. *A licensed attorney who is a full-time employee of an insurance company shall not represent a person insured by the company as counsel of record in:*

1. *An action brought by a third party against such person alleging a claim covered by the terms of an insurance policy issued, reissued, or extended by the company on or after July 1, 2011; or*

2. *The prosecution of a subrogation claim for property damage pursuant to the terms of an insurance policy issued, reissued, or extended by the company on or after July 1, 2011.*

B. *The provisions in subsection A shall not apply if such action is defended, or such subrogation claim is prosecuted, solely in the name of the company and the company assumes or is subrogated to the complete legal liability and pecuniary interest of the claim.*

INTRODUCED

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