

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Chapter 1.1 of Title 6.1 a section numbered*
 3 *6.1-2.16 and by adding in Title 54.1 a chapter numbered 21.1, consisting of sections numbered*
 4 *54.1-2145 through 54.1-2147, relating to settlement agents.*

5 [S 571]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That the Code of Virginia is amended by adding in Chapter 1.1 of Title 6.1 a section numbered**
 9 **6.1-2.16 and by adding in Title 54.1 a chapter numbered 21.1, consisting of sections numbered**
 10 **54.1-2145 through 54.1-2147, as follows:**

11 *§ 6.1-2.16. Professional obligations of settlement agents.*

12 *In the performance of their duties, settlement agents shall act in accordance with the highest*
 13 *standards of professional conduct. Accordingly, such agents shall ensure their compliance with all*
 14 *applicable laws and regulations including registration and financial responsibility requirements*
 15 *established by the Department of Professional and Occupational Regulation pursuant to Chapter 21.1*
 16 *(§ 54.1-2145 et seq.) of Title 54.1.*

17 **CHAPTER 21.1.**
 18 **SETTLEMENT AGENTS.**

19 *§ 54.1-2145. Definitions.*20 *As used in this chapter, unless the context requires a different meaning:*21 *"Department" means the Department of Professional and Occupational Regulation.*

22 *"Settlement agent" shall have the same meaning as such term has in the Wet Settlement Act*
 23 *(§ 6.1-2.10 et seq.).*

24 *§ 54.1-2146. Exemptions.*

25 *The provisions of this chapter shall not apply to (i) persons who are otherwise licensed pursuant to*
 26 *the provisions of Chapter 21 (§ 54.1-2100 et seq.) or Chapter 39 (§ 54.1-3900 et seq.) of Title 54.1, (ii)*
 27 *title insurance companies and agents who are otherwise licensed pursuant to the provisions of Chapter*
 28 *46 (§ 38.2-4600 et seq.) of Title 38.2, or (iii) any person or entity who is a seller, purchaser, borrower,*
 29 *or lender in connection with a real estate transaction.*

30 *§ 54.1-2147. Registration and financial responsibility.*

31 *The Department shall promulgate regulations establishing annual registration and financial*
 32 *responsibility requirements for settlement agents not otherwise exempt under § 54.1-2146. Such*
 33 *requirements may include the submission of an initial registration and subsequent annual renewals*
 34 *thereof and the payment of registration fees.*

35 **2. That the provisions of this act shall become effective on July 1, 1997.**

36 **3. That the Board for Professional and Occupational Regulation shall conduct a study to**
 37 **determine the appropriate level of regulation for settlement agents. The Board shall report its**
 38 **findings to the Governor and the 1997 Session of the General Assembly by December 1, 1996.**