

# ACT NO. 8211

BILL NO. 33-0147

## THIRTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS

### Regular Session

2019

An Act amending title 22, chapter 10 of the Virgin Islands Code by deleting from section 232 the words "life" and "disability" and by adding a new section 248, all to satisfy the accreditation standards established by the National Association of Insurance Commissioners and to provide more effective protection to the policyholders in the territory

---0---

**WHEREAS**, it is imperative that all United States jurisdictions, including the Virgin Islands, periodically update their insurance laws commensurate with the ever-evolving insurance industry to strengthen solvency regulation of insurance companies doing business in the United States;

**WHEREAS**, as a result of industry trends and experience in the insurance market the National Association of Insurance Commissioners ("NAIC") has established and continues to establish core accreditation standards and a comprehensive set of laws, known as the Model Laws and Regulations, in order to assist United States jurisdictions in affording greater protection to all policyholders in the United States by enhancing the solvency regulation of insurers;

**WHEREAS**, all of the 50 United States and the Commonwealth of Puerto Rico have adopted and continue to adopt the NAIC Model Laws and Regulations to implement the NAIC accreditation requirements and are in substantial compliance with the NAIC accreditation standards;

**WHEREAS**, the Territory has adopted and continues to adopt the NAIC Model Laws and Regulations that are necessary to obtain substantial compliance with the NAIC accreditation standards with the goal of achieving and maintaining accreditation status with the NAIC and of being on par with other United States jurisdictions;

**WHEREAS**, chapter 10 of title 22 of the Virgin Islands Code does not include coverage to protect the policyholders of this Territory who are insured by life and health insurers that become insolvent; and

**WHEREAS**, the amendment of chapter 10 of title 22 of the Virgin Islands Code to include coverage for the policyholders of insolvent life and health insurers doing business in this Territory will afford greater protection to the policyholders in the Territory and place the Territory on par with other United States jurisdictions; Now, Therefore,

*Be it enacted by the Legislature of the Virgin Islands:*

**SECTION 1.** Title 22, chapter 10, section 232 of the Virgin Islands Code is amended to read as follows:

**§ 232. Scope**

This chapter shall apply to all kinds of direct insurance, except title, surety, credit, mortgage guaranty and ocean marine insurance.

**SECTION 2.** Title 22, chapter 10 of the Virgin Islands Code is amended to add a new section 248 to read as follows:


**§ 248. Prospective Application**


This chapter shall not apply to any life and health insurer, with respect to which an order, decree, judgement or finding of insolvency, whether preliminary or temporary in nature, or order of rehabilitation or conservation has been issued by a court of competent jurisdiction prior to January 1, 2020, or which was otherwise in fact insolvent prior to January 1, 2020.

Thus passed by the Legislature of the Virgin Islands on September 26, 2019.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 30<sup>th</sup> day of September, A.D., 2019.



  
Novelle E. Francis, Jr.  
President

  
Alicia V. Barnes  
Legislative Secretary



**Bill No. 33-0147 is hereby approved.**

**Witness my hand and the seal of the Government of the United States Virgin Islands at Charlotte Amalie, St. Thomas, this 6<sup>th</sup> day of October, 2019 A.D.**

  
Albert Bryan, Jr.  
Governor