COMMITTEE REPORT

May 12, 2011

**H. 4042**

Introduced by Reps. Harrison, Brady, Pinson, H.B. Brown, Munnerlyn, Viers and Horne

S. Printed 5/12/11--H.

Read the first time April 6, 2011.

**THE COMMITTEE ON**

**LABOR, COMMERCE AND INDUSTRY**

To whom was referred a Bill (H. 4042) to amend the Code of Laws of South Carolina, 1976, by adding Section 39‑5‑31 so as to make it an unfair trade practice for a motor vehicle, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

WILLIAM E. SANDIFER for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39‑5‑31 SO AS TO MAKE IT AN UNFAIR TRADE PRACTICE FOR A MOTOR VEHICLE GLASS REPAIR BUSINESS THAT ADMINISTERS INSURANCE CLAIMS FOR MOTOR VEHICLE GLASS REPAIRS TO HAVE AN INSURED’S GLASS REPAIR BUSINESS REFERRED TO ITSELF OR TO USE INFORMATION TO SOLICIT BUSINESS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 5, Title 39 of the 1976 Code is amended by adding:

“Section 39‑5‑31. It is an unlawful trade practice pursuant to Section 39‑5‑20 for a motor vehicle glass repair business actively engaged in the repair of motor vehicle glass, or a person or entity with a ten percent or more ownership interest in that business, and acting as a third party administrator of insurance claims made pursuant to insurance coverage for motor vehicle glass repair to:

(1) refer or steer, or cause to be referred or steered, an insured’s motor vehicle glass repair business to itself; or

(2) use consumer information obtained in the process of acting in that dual capacity to solicit motor vehicle glass repair business.”

SECTION 2. This act takes effect upon approval by the Governor.

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