

SENATE AMENDMENTS TO SENATE BILL 180

By COMMITTEE ON JUDICIARY AND BALLOT MEASURE 110 IMPLEMENTATION

April 8

1 Delete lines 5 through 16 of the printed bill and insert:

2 **“SECTION 2. (1)(a) An insurer shall notify a claimant in writing at the time the insurer**
3 **pays \$5,000 or more to settle a third-party liability claim if:**

4 **“(A) The claimant is a natural person;**

5 **“(B) The insurer or an agent or other representative of the insurer, including the**
6 **insurer’s attorney, delivers the payment to the claimant or to the claimant’s attorney, agent**
7 **or other representative by draft, check or other form of payment; and**

8 **“(C) The claimant or the claimant’s attorney has provided contact information or a**
9 **mailing address to the insurer.**

10 **“(b) An insurer may comply with paragraph (a) of this subsection by sending to the**
11 **claimant a copy of the cover letter that accompanies the insurer’s settlement payment to**
12 **the claimant’s attorney. Any notice to the claimant other than a copy of the cover letter**
13 **may not include more than:**

14 **“(A) A statement that the insurer has paid a settlement;**

15 **“(B) The amount of the settlement;**

16 **“(C) The date on which the insurer paid the settlement;**

17 **“(D) The insurer’s name; and**

18 **“(E) Any identifying number for the claim.**

19 **“(2) Subsection (1) of this section does not:**

20 **“(a) Create a cause of action against an insurer for the insurer’s failure to provide the**
21 **notice described in subsection (1) of this section; or**

22 **“(b) Create for the claimant’s attorney a defense to any cause of action based on an**
23 **insurer’s failure to provide the notice described in subsection (1) of this section.**

24 **“(3) Subsection (1) of this section authorizes an insurer or the insurer’s attorney to**
25 **communicate with the claimant for the purpose of delivering the notice described in sub-**
26 **section (1) of this section even if the insurer or the insurer’s attorney knows that the**
27 **claimant is represented by an attorney.**

28 **“(4) This section does not invalidate or otherwise affect a settlement for which an insurer**
29 **made a payment.”.**

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