

SB 180-2
(LC 306)
2/19/21 (TSB/ps)

Requested by SENATE COMMITTEE ON JUDICIARY AND BALLOT MEASURE 110 IMPLEMENTATION

**PROPOSED AMENDMENTS TO
SENATE BILL 180**

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

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

5 **“(a) The claimant is a natural person;**

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

10 **“(c) The claimant or the claimant’s attorney has provided contact**
11 **information or a mailing address to the insurer.**

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

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

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

19 **“(3) Subsection (1) of this section authorizes an insurer or the**
20 **insurer’s attorney to communicate with the claimant for the purpose**
21 **of delivering the notice described in subsection (1) of this section even**

1 **if the insurer or the insurer's attorney knows that the claimant is**
2 **represented by an attorney.**

3 **“(4) This section does not invalidate or otherwise affect a settle-**
4 **ment for which an insurer made a payment.”.**

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