

SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3242

By COMMITTEE ON JUDICIARY

May 22

1 On page 1 of the printed A-engrossed bill, line 6, delete “or other person” and insert “, or an-
2 other person that is acting on behalf of the insurer in settling or adjusting claims,”.

3 On page 2, delete lines 16 through 20 and insert:

4 “(3)(a) Except as provided in paragraph (b) of this subsection, an insured may bring an individual
5 action in the circuit court in which the insured resides, or another court of competent jurisdiction,
6 to recover the insured’s actual damages that result from an unfair claim settlement practice pro-
7 hibited by this section, together with the costs of the action, including reasonable attorney fees and
8 litigation costs.

9 “(b) An insured may not bring an action under paragraph (a) of this subsection:

10 “(A) For a practice related to settling a workers’ compensation or medical malpractice claim;
11 or

12 “(B) Against an attorney in the attorney’s personal capacity for an act or practice that the at-
13 torney undertakes on behalf of an insurer, insured, beneficiary or other person in advising, pre-
14 senting or negotiating an insurance claim.”.

15 In line 21, delete “(b)” and insert “(c)” and delete “20” and insert “45”.

16 In line 26, delete “(c)” and insert “(d)”.

17 In line 27, delete “20” and insert “45”.

18 In line 28, delete “(b)” and insert “(c)”.

19 In line 30, delete “20-day” and insert “45-day”.

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