

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 9, 2019

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB19-1283 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, line 19, strike "**liability.**" and substitute
- 2 "**liability - definition.**".

- 3 Page 3, line 20, after "THIRTY" insert "CALENDAR".

- 4 Page 3, line 21, after "A" insert "COMMERCIAL AUTOMOBILE OR PERSONAL
- 5 AUTOMOBILE".

- 6 Page 3, line 24, after "PROVIDE" insert "COMMERCIAL AUTOMOBILE OR
- 7 PERSONAL AUTOMOBILE".

- 8 Page 3, lines 26 and 27, strike "PROSPECTIVE CLAIMANT" and substitute
- 9 "THE CLAIMANT'S ATTORNEY".

- 10 Page 4, line 1, after "THIRTY" insert "CALENDAR".

- 11 Page 4, strike lines 2 and 3 and substitute "OR THE CLAIMANT'S
- 12 ATTORNEY, WHICH REQUEST IS SENT TO THE INSURER'S REGISTERED
- 13 AGENT, A STATEMENT SETTING FORTH THE FOLLOWING INFORMATION
- 14 WITH".

- 15 Page 4, line 4, strike "INSURANCE," and substitute "INSURANCE OF THE
- 16 NAMED INSURED,".

- 17 Page 4, line 7, strike "PARTY;" and substitute "PARTY, AS THE NAME

- 1 APPEARS ON THE DECLARATIONS PAGE OF THE POLICY;".
- 2 Page 4, line 8, after "COVERAGE;" add "AND".
- 3 Page 4, strike lines 9 through 11.
- 4 Renumber succeeding subparagraph accordingly.
- 5 Page 4, lines 13 and 14, strike "OR AN INSURED PARTY'S INSURANCE
6 AGENT,".
- 7 Page 4, strike lines 17 through 21 and substitute "PARTY.".
- 8 Page 4, line 22, strike "OR AN INSURED PARTY".
- 9 Page 4, line 25, after the second "THE" insert "RECEIPT OF THE".
- 10 Page 4, lines 26 and 27, strike "OR AN INSURED PARTY".
- 11 Page 5, line 1, strike "OR INSURED PARTY".
- 12 Page 5, strike lines 4 through 13 and substitute:
- 13 "(4) THE CLAIMANT AND ANY ATTORNEY OF THE CLAIMANT SHALL
14 NOT DISCLOSE TO ANY PARTY THE INFORMATION DESCRIBED IN
15 SUBSECTION (2)(a) OF THIS SECTION; EXCEPT THAT THE CLAIMANT AND AN
16 ATTORNEY OF THE CLAIMANT MAY DISCUSS THE INFORMATION WITH THE
17 CLAIMANT'S INSURER.
- 18 (5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
19 REQUIRES, "CLAIMANT" MEANS A PERSON THAT HAS PROVIDED NOTICE TO
20 AN INSURER OF A POTENTIAL CLAIM.
- 21 **SECTION 3. Act subject to petition - effective date.** This act
22 takes effect January 1, 2020; except that, if a referendum petition is filed
23 pursuant to section 1 (3) of article V of the state constitution against this
24 act or an item, section, or part of this act within the ninety-day period
25 after final adjournment of the general assembly, then the act, item,
26 section, or part will not take effect unless approved by the people at the
27 general election to be held in November 2020 and, in such case, will take
28 effect on the date of the official declaration of the vote thereon by the
29 governor.".

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