



Colorado  
Legislative  
Council  
Staff

SB17-204

FINAL  
FISCAL NOTE

---

**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

---

**Drafting Number:** LLS 17-0902  
**Prime Sponsor(s):** Sen. Priola  
Rep. Lawrence

**Date:** June 20, 2014  
**Bill Status:** Postponed Indefinitely  
**Fiscal Analyst:** Anna Gerstle (303-866-4375)

---

**BILL TOPIC:** IMPROPER DENIAL OF PROPERTY AND CASUALTY CLAIMS

**NOTE:** This bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

### Summary of Legislation

Under current law, a first-party claimant is defined as an individual, corporation, association, partnership, or other legal entity asserting an entitlement to benefits owed directly to or on behalf of a person insured under the policy, including a public entity that has paid a claim for benefits due to an insurer's unreasonable delay or denial of a claim. A first-party claimant whose claim for payment of benefits has been unreasonably delayed or denied may sue to recover attorney fees, court costs, and two times the covered benefit.

The bill modifies the definition of first-party claimant to exclude an additional insured added to the policy by endorsement and an individual, corporation, association, partnership, or other legal entity acting on behalf of an insured person, with exceptions for claims under health coverage plans. It also specifies that a first-party claimant includes the named insured or any person defined as an insured under the insurance policy.

For property and casualty causes of action and remedies, the remedy may not be assigned to another person by the first-party claimant or anyone acting on the first-party claimant's behalf.

### Assessment

The bill is assessed as having no fiscal impact, as it impacts claims, lawsuits, or transactions by private entities. It is not expected to impact the revenue, expenditures, or workload of the trial courts in the Judicial Department, or any other state agency or local government.

### Effective Date

The bill was postponed indefinitely by the House State, Veterans, and Military Affairs Committee on April 26, 2017.

**State and Local Government Contacts**

Judicial

Law

Regulatory Agencies