

HOUSE COMMITTEE OF REFERENCE AMENDMENT
Committee on Judiciary.

HB20-1290 be amended as follows:

1 Amend printed bill, page 2, line 8, strike "ASSERTED:" and substitute
2 "ASSERTED IN A COURT OF LAW OR AN ARBITRATION:".

3 Page 2, strike lines 9 through 11 and substitute:

4 "(a) THE INSURER HAS SUBMITTED A WRITTEN REQUEST TO THE
5 INSURED OR THE INSURED'S REPRESENTATIVE FOR THE INFORMATION THE
6 INSURER SEEKS VIA:

7 (I) ELECTRONIC MEANS IF THE INSURED OR THE INSURED'S
8 REPRESENTATIVE HAS CONSENTED TO RECEIVE ELECTRONIC DOCUMENTS
9 FROM THE INSURER; OR

10 (II) CERTIFIED MAIL;".

11 Page 3, line 6, strike "REQUESTED. A" and substitute "REQUESTED, BUT A".

12 Page 3, line 7, strike "(1)(e)." and substitute "(1)(e); AND".

13 Page 3, strike lines 8 and 9.

14 Page 3, line 10, strike "(g)" and substitute "(f)".

15 Page 3, after line 17 insert:

16 "(2) A FAILURE TO COOPERATE DEFENSE ACTS AS A DEFENSE TO
17 THE PORTION OF THE CLAIM MATERIALLY AND SUBSTANTIALLY
18 PREJUDICED TO THE EXTENT THE INSURER COULD NOT EVALUATE OR PAY
19 THAT PORTION OF THE CLAIM.".

20 Renumber succeeding subsections accordingly.

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