

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 8, 2017
Date

Committee on Business, Labor, & Technology.

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

SB17-045 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 2, strike "THE" and substitute "THE
2 INSURERS WITH A DUTY TO DEFEND MAY, AMONG THEMSELVES, AGREE ON
3 HOW TO APPORTION PAST AND FUTURE DEFENSE COSTS, INCLUDING
4 REASONABLE ATTORNEY FEES. ANY SUCH AGREEMENT IS ENFORCEABLE AS
5 A CONTRACT. IF THE INSURERS ARE UNABLE TO REACH SUCH AN
6 AGREEMENT WITHIN FORTY-FIVE DAYS AFTER THE FILING OF THE
7 CONTRIBUTION ACTION, THE".

8 Page 3, strike lines 4 and 5 and substitute "HEARING, WHICH MUST BE
9 HELD WITHIN SIXTY DAYS. STATEMENTS MADE BY PARTIES AND COUNSEL
10 ON BEHALF OF ANY PARTY, WHEN OFFERED TO PROVE LIABILITY FOR,
11 VALIDITY OF, OR AMOUNT OF ANY CLAIMS DURING THE HEARING, ARE NOT
12 ADMISSIBLE IN ANY SUBSEQUENT PROCEEDING. THE DISTRICT COURT
13 SHALL PROMPTLY DECIDE THE CLAIM".

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