

HB1290\_L.001

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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