

HOUSE FLOOR AMENDMENT

Third Reading

BY REPRESENTATIVE Garnett

1 Amend engrossed bill, page 3, strike lines 6 and 7 and substitute:

2 "(d) THE WRITTEN REQUEST IS FOR INFORMATION A REASONABLE
3 PERSON WOULD DETERMINE THE INSURER NEEDS TO ADJUST THE CLAIM
4 FILED BY THE INSURED OR TO PREVENT FRAUD; AND".

5 Page 3, strike lines 8 through 12.

6 Reletter succeeding paragraph accordingly.

7 Page 3, line 18, strike "THIRTY" and substitute "SIXTY".

8 Page 4, after line 3 insert:

9 "(5) AN INSURER IS NOT LIABLE FOR A CLAIM IN A CIVIL ACTION
10 BASED UPON A BAD-FAITH BREACH OF CONTRACT UNDER COMMON LAW OR
11 UNDER SECTIONS 10-3-1115 AND 10-3-1116 BECAUSE THE INSURER
12 SOLELY PROVIDES THE INSURED WITH THE REQUIRED AMOUNT OF TIME:

13 (a) TO RESPOND TO THE INSURER'S WRITTEN REQUEST AS SPECIFIED
14 UNDER SUBSECTION (1)(c) OF THIS SECTION; AND

15 (b) TO CURE THE ALLEGED FAILURE TO COOPERATE AS SPECIFIED
16 UNDER SUBSECTION (1)(e) OF THIS SECTION."

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