



645452

LEGISLATIVE ACTION

Senate

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House

Senator Torres moved the following:

Senate Amendment (with directory and title amendments)

Between lines 2593 and 2594
insert:

(9) An insurer shall notify each first-party claimant or beneficiary that they may obtain copies of claim-related documents upon request. As used in this subsection, the term "claim-related documents" means all documents related to the evaluation of damages, including, but not limited to, repair and replacement estimates and bids; appraisals; scopes of loss; drawings, plans, and reports; third-party findings on the amount



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of loss, covered damages, and the cost of repairs; and all other
valuation, measurement, and loss adjustment calculations of the
amount of loss. However, attorney work product and attorney-
client privileged documents and documents that indicate fraud by
the insured or that contain medically privileged information are
excluded from the documents an insurer is required to provide to
a claimant pursuant to this subsection. Within 15 calendar days
after receiving a request from an insured or a beneficiary for
claim-related documents, the insurer shall provide the insured
or beneficiary with copies of all claim-related documents except
those excluded by this section. This subsection may not be
construed to affect existing litigation discovery rights.

==== D I R E C T O R Y C L A U S E A M E N D M E N T =====

And the directory clause is amended as follows:

Delete line 2441

and insert:

subsection (10), a new subsection (8) and subsection (9) are
added to that section,

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 114

and insert:

under which certain requirements are tolled; requiring
insurers to notify first-party claimants and
beneficiaries that they may obtain copies of claim-
related documents upon request; defining the term
"claim-related documents"; providing an exception;



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42 requiring insurers to provide such documents within a
43 specified timeframe; providing