

Bill No. CS for CS for CS for SB 564, SB 2120 & SB 2620

Amendment No.      Barcode 105928

CHAMBER ACTION

Senate

House

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Senator Saunders moved the following amendment:

**Senate Amendment (with title amendment)**

On page 16, between lines 27 and 28,

insert:

(14)(a) In regard to insurance company bad-faith actions arising out of medical malpractice claims, common law bad-faith principles shall apply and not statutory bad-faith principles.

(b) An insurer shall not be held to have acted in bad faith for failure to timely pay its policy limits if it tenders its policy limits prior to the conclusion of the presuit screening period provided for in this section, during an extension provided for therein, during a period of 180 days thereafter, or during a 60-day period after the filing of an amended medical malpractice complaint alleging new facts previously unknown to the insurer. Failure of an insurer to tender its policy limits during the timeframes specified herein does not create a presumption that the insurer acted in bad faith.

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

2 And the title is amended as follows:

3            On page 1, line 18, after the semicolon,

4

5 insert:

6            providing that common law bad-faith principles

7            apply to actions regarding insurance companies;

8            specifying circumstances under which an insurer

9            will not be held to have acted in bad faith;

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