

Bill No. CS for SB 2-B

Amendment No. ____ Barcode 031714

CHAMBER ACTION

Senate

House

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Senator Bennett moved the following **substitute for amendment**
(292830):

Senate Amendment

On page 126, lines 15-21, delete those lines

and insert: provided for therein; during a period of 120 days
thereafter; or during a 90-day period after the filing of an
amended medical malpractice complaint alleging new facts
previously unknown to the insurer. If a case is set for trial
within 1 year after the date of filing the claim, an insurer
shall not be held in bad faith if policy limits are tendered
60 days or more prior to trial. This paragraph shall not apply
when, based upon information known earlier to the insurance
company or its representatives, the insurance company could
and should have settled the claim within policy limits if it
had been acting fairly and honestly toward the insured and
with due regard for the insured's interests during the 120-day
period after the 90-day presuit period or in circumstances
when a case is set for trial within 1 year after the date of
filing the claim, 60 days or more prior to the date of trial,

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1 whichever is earlier.

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