

Bill No. PCS for SB 2114 (340598)

Barcode 831358

CHAMBER ACTION

Senate

House

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Comm: WD
03/29/2006 11:51 AM

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The Committee on Banking and Insurance (Baker) recommended the following amendment:

Senate Amendment (with title amendment)

On page 49, between lines 22 and 23,

insert:

(23) CONSOLIDATION OF LAWSUITS.--In an effort to avoid unnecessary, piecemeal litigation and expedite the administration of justice in bringing causes to a quicker and less expensive conclusion, all issues, which include all benefits claimed, under this section regarding a specific claimant for a particular date of loss which are, or with due diligence could have been, identified must be brought at the same time and consolidated into one cause of action. Any award of attorney's fees resulting from a party prevailing in an action under this section shall be limited to one fee corresponding to the attorney who initially filed the lawsuit. In this regard, any holder of an assignment of benefits shall be held to the same requirements set forth in this subsection as if the claim were being litigated by the insured.

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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 2, line 20, following the first semicolon

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5 insert:

6 requiring consolidation of litigation arising

7 out of benefits claimed regarding a specified

8 claimant for a particular date of loss;

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