

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Robinson, F. offered the following:

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3 **Amendment to Amendment (334081)**

4 Remove line 1044 and insert:

5 hourly rate. The insurer is responsible to pay the amount of
6 reasonable and necessary attorney fees and costs incurred by the
7 claimant to prepare and submit the presuit settlement demand.

8 The insurer must agree or disagree in writing with the
9 reasonableness and necessity of the provided attorney fees and
10 costs within 10 business days after receiving the presuit
11 settlement demand. Any dispute over the amount of reasonable and
12 necessary attorney fees and costs to prepare and submit the
13 presuit settlement demand may be resolved by mandatory binding

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14 arbitration, which must occur no later than 30 business days
15 after the date the claimant's attorney receives the written
16 dispute or on a later date agreed to by the parties. The
17 prevailing party in such binding arbitration shall be fully
18 reimbursed by the other party for all costs, including
19 reasonable attorney fees, expert's or consultant's fees, and
20 reasonable travel and lodging expenses, incurred by the
21 prevailing party in its successful prosecution or defense of the
22 dispute, including any appellate proceeding.

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