



645452

LEGISLATIVE ACTION

Senate

House

.
. .
. .
. .
. .

Floor: WD/2R

12/13/2022 03:00 PM

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



645452

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

25
26 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

27 And the directory clause is amended as follows:
28 Delete line 2441
29 and insert:
30 subsection (10), a new subsection (8) and subsection (9) are
31 added to that section,

32
33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:
35 Delete line 114
36 and insert:
37 under which certain requirements are tolled; requiring
38 insurers to notify first-party claimants and
39 beneficiaries that they may obtain copies of claim-
40 related documents upon request; defining the term
41 "claim-related documents"; providing an exception;



645452

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