

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Skidmore offered the following:

2  
3 **Amendment**

4 Between lines 321 and 322, insert:

5 3. The insurer has a reciprocal duty to act in good faith  
6 toward the claimant and attorney for the claimant in furnishing  
7 information regarding the claim, making demands of the claimant,  
8 requesting or granting extensions, communicating with the  
9 claimant, and in attempting to settle the claim. These duties do  
10 not create a separate cause of action, but may only be  
11 considered pursuant to subparagraph 4.

12 4. In any action for bad faith against an insurer, the  
13 trier of fact may consider whether the insurer did not act in

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14 good faith pursuant to subparagraph 3., in which case the trier  
15 of fact may reasonably increase the amount of damages awarded  
16 against the insurer.

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