



Reprinted
March 2, 1999

HOUSE BILL No. 1217

DIGEST OF HB 1217 (Updated March 1, 1999 4:21 pm - DI 69)

Citations Affected: IC 27-4; IC 34-24.

Synopsis: Damages for unfair claim settlement practices. Allows a person who suffers a pecuniary loss as a result of the commission of certain unfair claim settlement practices to bring a civil action against the person who caused the loss for: (1) the actual damages of the person suffering the loss; (2) the costs of the action; and (3) a reasonable attorney's fee.

Effective: July 1, 1999.

Stilwell

January 11, 1999, read first time and referred to Committee on Judiciary.
February 24, 1999, amended, reported — Do Pass.
March 1, 1999, read second time, amended, ordered engrossed.

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HB 1217—LS 6983/DI 69+



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March 2, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1217

A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 27-4-1-18 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 18. This article does
3 not create a cause of action other than an action by:
4 (1) the commissioner to enforce ~~his~~ **the commissioner's** order; ~~or~~
5 (2) a person, as defined in section 1 of this chapter, to appeal an
6 order of the commissioner; **or**
7 (3) **a person under IC 34-24-3-1.5.**
- 8 SECTION 2. IC 34-24-3-1.5 IS ADDED TO THE INDIANA CODE
9 AS A **NEW SECTION** READ AS FOLLOWS [EFFECTIVE JULY 1,
10 1999]: **Sec. 1.5. If a person suffers a pecuniary loss as a result of the**
11 **commission of an act described in IC 27-4-1-4.5(1),**
12 **IC 27-4-1-4.5(4), or IC 27-4-1-4.5(6), the person may bring a civil**
13 **action against the person who caused the loss for the following:**
14 (1) **The actual damages of the person suffering the loss.**
15 (2) **The costs of the action.**
16 (3) **A reasonable attorney's fee.**

HB 1217—LS 6983/DI 69+



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COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1217, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 5, delete "IC 27-4-1-4.5," and insert "**IC 27-4-1-4.5(1), IC 27-4-1-4.5(4), IC 27-4-1-4.5(6), or IC 27-4-1-4.5(7)**,"

and when so amended that said bill do pass.

(Reference is to HB 1217 as introduced.)

VILLALPANDO, Chair

Committee Vote: yeas 8, nays 6.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1217 be amended to read as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

(Reference is to HB 1217 as printed February 25, 1999.)

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