
HOUSE BILL No. 1217

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-24-3-1.

Synopsis: Treble damages; unfair claim settlement practices. Allows a person who suffers a pecuniary loss as a result of the commission of an unfair claim settlement practice to bring a civil action against the person who caused the loss for an amount not to exceed three times the actual damages of the person suffering the loss.

Effective: July 1, 1999.

Stilwell

January 11, 1999, read first time and referred to Committee on Judiciary.

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Introduced

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 34-24-3-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. If a person suffers a
3 pecuniary loss as a result of a violation of IC 35-43, IC 35-42-3-3,
4 IC 35-42-3-4, or IC 35-45-9 **or as a result of the commission of an**
5 **act described in IC 27-4-1-4.5**, the person may bring a civil action
6 against the person who caused the loss for the following:
7 (1) An amount not to exceed three (3) times the actual damages
8 of the person suffering the loss.
9 (2) The costs of the action.
10 (3) A reasonable attorney's fee.
11 (4) Actual travel expenses that are not otherwise reimbursed
12 under subdivisions (1) through (3) and are incurred by the person
13 suffering loss to:
14 (A) have the person suffering loss or an employee or agent of
15 that person file papers and attend court proceedings related to
16 the recovery of a judgment under this chapter; or
17 (B) provide witnesses to testify in court proceedings related to



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- 1 the recovery of a judgment under this chapter.
- 2 (5) A reasonable amount to compensate the person suffering loss
- 3 for time used to:
- 4 (A) file papers and attend court proceedings related to the
- 5 recovery of a judgment under this chapter; or
- 6 (B) travel to and from activities described in clause (A).
- 7 (6) Actual direct and indirect expenses incurred by the person
- 8 suffering loss to compensate employees and agents for time used
- 9 to:
- 10 (A) file papers and attend court proceedings related to the
- 11 recovery of a judgment under this chapter; or
- 12 (B) travel to and from activities described in clause (A).
- 13 (7) All other reasonable costs of collection.

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