

SB 379 – AS INTRODUCED

2014 SESSION

14-2691
01/08

SENATE BILL **379**

AN ACT relative to procedures for accepting settlement offers.

SPONSORS: Sen. D'Allesandro, Dist 20; Sen. Soucy, Dist 18; Sen. Gilmour, Dist 12; Sen. Lasky,
Dist 13; Sen. Pierce, Dist 5; Sen. Watters, Dist 4

COMMITTEE: Commerce

ANALYSIS

This bill requires written notice from an insurer to a claimant of payments of a claim to a third party.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT relative to procedures for accepting settlement offers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Insurance; Third Party Claims; Written Notice Required. Amend RSA 417 by
2 inserting after section 4 the following new section:

3 417-4-a Third Party Claims; Written Notice Required.

4 I. Upon payment of \$1,000 or more in settlement of a third-party liability claim, if the
5 claimant is a natural person, the insurer shall cause written notice to be mailed to the claimant at
6 the same time payment is made, by the insurer or its representative, including the insurer's
7 attorney, to the claimant's attorney or other representative of the claimant by draft, check, or
8 otherwise.

9 II. Nothing in this section shall constitute a violation of this chapter if an insurer makes a
10 good faith effort to comply with this section.

11 III. A violation of this section shall be deemed to occur if an insurer fails to provide the
12 notice to claimants with a frequency that indicates that it is a general business practice.

13 2 Effective Date. This act shall take effect January 1, 2015.