

HCS HB 573 -- SETTLEMENTS OF TORT CLAIMS (McGaugh)

COMMITTEE OF ORIGIN: Standing Committee on Judiciary

This bill provides that a time-limited demand to settle any claim for personal injury, bodily injury, or wrongful death must be in writing and sent by certified mail to the tortfeasor's liability insurer, and it must include various material terms specified in the bill. Additional information, as provided in the bill, must accompany the demand including authorizations to allow the party to obtain records from all employers and medical care providers. Upon receipt of a time-limited demand, a recipient may ask for clarification of the terms without it being considered a counteroffer or rejection of the demand.

After acceptance of the time-limited demand, the defendant may provide payment to the claimant in the form of cash, money order, wire transfer, cashier's check, draft or bank check, or electronic funds transfer. A claimant may require payment within a specified period of time, but cannot be less than 10 days after written acceptance of the time-limited demand.

This bill does not apply to offers made within 30 days of the trial.

This bill is similar to SB 213 (2017).