## HB 354 INTRODUCED BY MILES, ET AL. SUSPEND INSURANCE BAD FAITH CLAIM UNTIL UNDERLYING CLAIM SETTLED

- 1/21 INTRODUCED
- 1/21 REFERRED TO JUDICIARY
- 2/10 HEARING
- 2/19 TABLED IN COMMITTEE

1	House BILL NO. 354
2	INTRODUCED BY Miles Willy Mercer Kammer
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE
5	SUSPENSION OF LEGAL PROCEEDINGS IN CERTAIN INSURANCE CLAIM
6	SETTLEMENT CASES; AMENDING SECTION 33-18-241, MCA; AND
7	PROVIDING AN IMMEDIATE EFFECTIVE DATE."
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9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 33-18-241, MCA, is amended to read:
11	"33-18-241. Separation of trial of claim for lack of
12	good faith from trial of underlying claim suspension of
13	proceedings. (1) The trial of a claim or action against an
14	insurer for lack of good faith in its handling or settlement
15	of an insurance claim may not be consolidated with a trial
16	of the underlying claim if:
17	+1+(a) the lack of good faith claim is against a party
18	different from the party against whom the underlying claim
19	is made; and
20	<del>(2)(b)</del> the parties have not stipulated to
21	consolidation of the trial of the lack of good faith claim
22	and the underlying claim.
23	(2) If an insurance settlement claim is subject to the
24	provisions of subsection (1), all proceedings in the case
25	must be suspended until the liability issues of the

underlying claim have been determined, either by settlement
or by judgment."

NEW SECTION. Section 2. Effective date. This act is
effective on passage and approval.

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