

HB 672 INTRODUCED BY WHALEN
JOINDER OF DEFENDANT'S INSURER AS A DEFENDANT--
INSURANCE ADMISSIBLE AT TRIAL

2/09 INTRODUCED
2/09 REFERRED TO JUDICIARY
2/18 HEARING
FAILED TO MEET TRANSMITTAL DEADLINE

1 House BILL NO. 672
2 INTRODUCED BY Whalen

1 passage and approval.

-End-

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING AN INSURER OF
5 A DEFENDANT TO BE JOINED AS A DEFENDANT IF A CLAIM IS OR MAY
6 BE COVERED BY THE INSURER; PROVIDING THAT EVIDENCE OF THE
7 AMOUNT AND COVERAGE OF THE INSURANCE IS ADMISSIBLE AS TO THE
8 AMOUNT AND AWARD OF DAMAGES; REPEALING SECTION 33-23-102,
9 MCA; AND PROVIDING AN APPLICABILITY DATE AND AN IMMEDIATE
10 EFFECTIVE DATE."

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Joinder of defendant's insurer -- evidence
14 of insurance. (1) In a civil proceeding in which a claim or
15 claims against a defendant are or may be covered by
16 insurance, the insurance company is a real party in interest
17 and must be joined as an additional party defendant.

18 (2) Evidence of the amount and coverage of the
19 insurance is admissible and must be addressed in the jury
20 instructions.

21 Section 2. Repealer. Section 33-23-102, MCA, is
22 repealed.

23 Section 3. Applicability. This act applies to claims
24 arising after the effective date of this act.

25 Section 4. Effective date. This act is effective on



-2- INTRODUCED BILL
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