



General Assembly

**Amendment**

January Session, 2009

LCO No. 5614

\*SB0089405614SD0\*

Offered by:

SEN. CRISCO, 17<sup>th</sup> Dist.

REP. FONTANA, 87<sup>th</sup> Dist.

To: Subst. Senate Bill No. 894

File No. 43

Cal. No. 114

**"AN ACT REQUIRING DISCLOSURE OF AUTOMOBILE LIABILITY INSURANCE POLICY LIMITS PRIOR TO THE FILING OF A CLAIM."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2009*) (a) Not later than thirty  
4 days after an insurer receives a written request by or on behalf of an  
5 individual that alleges the individual has suffered bodily injury or  
6 death caused in a motor vehicle collision by an insured under a private  
7 passenger automobile liability insurance policy issued by the insurer,  
8 the insurer shall provide written disclosure of such insured's  
9 automobile insurance policy limits to the individual making the  
10 request. The written request for disclosure shall be sent by certified  
11 mail directed to the insurance adjuster or to the insurance company at  
12 its last-known principal place of business.

13 (b) Each written request for disclosure shall be accompanied by a  
14 letter from an attorney-at-law admitted to practice in this state or an

15 affidavit of the individual that sets forth: (1) The type of claim alleged  
 16 against the insured; (2) the date and approximate time of the alleged  
 17 incident that gave rise to the request for disclosure; (3) a description of  
 18 the injuries alleged to have been caused by the insured and a copy of  
 19 the individual's medical bills and medical records from the treatment  
 20 of such injuries; and (4) a copy of the accident report, if available, of  
 21 the motor vehicle collision that allegedly caused the individual's  
 22 injuries or death. An attorney-at-law who submits a letter requesting  
 23 disclosure pursuant to this section shall include the attorney's juris  
 24 number in the letter.

25 (c) The disclosure provided by the insurer shall indicate all private  
 26 passenger automobile coverage provided by the insurer to the insured,  
 27 including, but not limited to, any applicable umbrella or excess  
 28 liability insurance issued by the insurer.

29 (d) The disclosure required under this section shall be applicable to  
 30 requests for disclosure made on any claim arising on or after October  
 31 1, 2009."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	New section