

SENATE FILE NO. SF0068

Unfair claims settlement practices.

Sponsored by: Senator(s) Coe, Decaria, Hanes and Larson
and Representative(s) Berger and Luthi

A BILL

for

1 AN ACT relating to unfair insurance claims settlement
2 practices; removing frequency requirement for acts to
3 constitute unfair settlement practices; providing a private
4 right of action for unfair claims settlement practices;
5 authorizing costs and attorneys' fees; and providing for an
6 effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 26-13-124(a)(intro) and by creating
11 a new subsection (b) is amended to read:

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13 **26-13-124. Unfair claims settlement practices.**

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15 (a) A person is considered to be engaging in an
16 unfair method of competition and unfair and deceptive act

1 or practice in the business of insurance if that person
2 commits or performs ~~with such frequency as to indicate a~~
3 ~~general business practice~~ any of the following unfair
4 claims settlement practices:

5
6 (b) Any person who has suffered damages as a result
7 of a violation of subsection (a) of this section by an
8 insurer or its agent may bring an action in district court
9 to recover damages. Costs, including reasonable attorneys
10 fees, may be awarded to the claimant unless the court
11 otherwise directs.

12

13 **Section 2.** This act is effective July 1, 2006.

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15

(END)