

SENATE BILL No. 1218

April 9, 2002, Introduced by Senators BYRUM, GARCIA and MILLER and referred to the Committee on Financial Services.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3149.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3149. AN INSURER OBLIGATED TO PAY BENEFITS OR CLAIMS
2 UNDER AN AUTOMOBILE INSURANCE POLICY HAS A DUTY TO DEAL FAIRLY
3 AND IN GOOD FAITH WITH AN INSURED CLAIMING THE BENEFITS. AN
4 INSURER THAT BREACHES THIS DUTY TO DEAL FAIRLY AND IN GOOD FAITH
5 IS LIABLE FOR COMPENSATORY, CONSEQUENTIAL, AND EXEMPLARY DAMAGES
6 PROXIMATELY CAUSED BY THE BREACH.