

1st Sub. H.B. 235

INSURANCE ARBITRATION AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

FEBRUARY 15, 2005 10:28 AM

Representative **Stephen H. Urquhart** proposes the following amendments:

1. *Page 1, Lines 22 through 24*

House Committee Amendments

2-7-2005:

- 22 ▶ provides that if a plaintiff, as the moving party in a trial de novo, does not receive a
23 verdict that is at least ~~Ĥ~~→ \$5,000 {~~or~~} and is at least ~~←Ĥ~~ 20% {~~or~~} greater than the
arbitration award
23a ~~Ĥ~~→ [~~or \$5,000~~] ~~←Ĥ~~ , the
24 plaintiff is responsible for the nonmoving party's costs;

2. *Page 3, Lines 76 through 77:*

- 76 (a) each party shall pay {~~a proportionate~~} an equal share of the fees and costs of the
arbitrator
77 selected under Subsection (4)(a); and

3. *Page 3, Lines 81 through 82:*

- 81 (ii) each party shall {~~proportionately~~} pay an equal share of the fees and costs of the
arbitrator selected
82 under Subsection (4)(d)(ii).

4. *Page 4, Lines 108 through 111*

a. House Committee Amendments

b. 2-7-2005:

- 108 (11) (a) If the plaintiff, as the moving party in a trial de novo requested under
109 Subsection (9), does not obtain a verdict that is at least ~~Ĥ~~→ \$5,000 {~~or~~} and is at least ~~←Ĥ~~ 20%
109a ~~Ĥ~~→ [~~or \$5,000~~] ~~←Ĥ~~ greater than the
110 arbitration award, ~~Ĥ~~→ [~~which is greater,~~] ~~←Ĥ~~ the plaintiff is responsible for all of the nonmoving
110a party's
111 costs.