

19-6-421 Third party payment restrictions and requirements.

- (1) If there are sufficient revenues in the fund, and subject to the provisions of Sections 19-6-419, 19-6-422, and 19-6-423, the director shall authorize payment from the fund to third parties regarding a release covered by the fund as provided in Subsection (2) if:
- (a)
 - (i) he is notified that a final judgment or award has been entered against the responsible party covered by the fund that determines liability for bodily injury or property damage to third parties caused by a release from the tank; or
 - (ii) approved by the state risk manager, the responsible party has agreed to pay an amount in settlement of a claim arising from the release; and
 - (b) the responsible party has failed to satisfy the judgment or award, or pay the amount agreed to.
- (2) The director shall authorize payment to the third parties of the amount of the judgment, award, or amount agreed to subject to the limitations established in Section 19-6-419.

Amended by Chapter 360, 2012 General Session