

31A-15-108 Attorney fees.

In an action against an unauthorized person upon a contract of insurance issued in violation of this chapter, if the unauthorized person fails to make payment in accordance with the contract for 30 days after the payment is due and demand is made, and it appears to the court that the failure was without just cause, the court may allow the plaintiff a reasonable attorney's fee and may include the fee in any judgment that may be rendered in the action. The unauthorized person's failure to defend this action is prima facie evidence that the failure to pay was without just cause.

Enacted by Chapter 242, 1985 General Session