

HOUSE BILL No. 4139

February 1, 2005, Introduced by Reps. Gonzales, Byrnes, Bieda, Anderson, Brown, Farrah, Wojno, Meisner, Kathleen Law and Murphy and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 2203.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 2203. AN INSURER OBLIGATED TO PAY BENEFITS OR CLAIMS**
2 **UNDER A PROPERTY AND CASUALTY INSURANCE POLICY HAS A DUTY TO DEAL**
3 **FAIRLY AND IN GOOD FAITH WITH AN INSURED CLAIMING THE BENEFITS. AN**
4 **INSURER THAT BREACHES THIS DUTY TO DEAL FAIRLY AND IN GOOD FAITH IS**
5 **LIABLE FOR COMPENSATORY, CONSEQUENTIAL, AND EXEMPLARY DAMAGES**
6 **PROXIMATELY CAUSED BY THE BREACH.**