

SENATE BILL No. 25

January 12, 2005, Introduced by Senator SCOTT and referred to the Committee on Banking and Financial Institutions.

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 AND
3 IN GOOD FAITH WITH AN INSURED CLAIMING THE BENEFITS. AN INSURER
4 THAT BREACHES THIS DUTY TO DEAL FAIRLY AND IN GOOD FAITH IS LIABLE
5 FOR COMPENSATORY, CONSEQUENTIAL, AND EXEMPLARY DAMAGES PROXIMATELY
6 CAUSED BY THE BREACH.