

HOUSE BILL No. 1023

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-6-2-84; IC 34-44-3.

Synopsis: Admissibility of coverage limits. Prohibits admission of uninsured and underinsured motorist insurance coverage limits in a breach of contract action concerning uninsured or underinsured motorist benefits.

Effective: July 1, 2020.

Torr

January 6, 2020, read first time and referred to Committee on Judiciary.



Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 34-6-2-84, AS AMENDED BY P.L.186-2017,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 84. (a) "Motor vehicle", for purposes of
4 IC 34-30-29.2, ~~and~~ IC 34-40-4, **and IC 34-44-3**, has the meaning set
5 forth in IC 9-13-2-105(a).

6 (b) "Motor vehicle", for purposes of IC 34-30-30, has the meaning
7 set forth in IC 34-30-30-2.

8 SECTION 2. IC 34-44-3 IS ADDED TO THE INDIANA CODE AS
9 A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2020]:

11 **Chapter 3. Uninsured and Underinsured Motorist Insurance**
12 **Coverage Limits**

13 **Sec. 1. This chapter applies only to a breach of contract action**
14 **between an insurer and an insured concerning uninsured motorist**
15 **and underinsured motorist coverage under the insured's policy.**

16 **Sec. 2. In a breach of contract action to which this chapter**
17 **applies, the uninsured motorist and underinsured motorist**



- 1 **coverage limitations under the policy:**
- 2 **(1) are not admissible to determine the pecuniary loss or the**
- 3 **amount of any award; and**
- 4 **(2) may not be considered by the court in reviewing an award.**

