

HOUSE SUBSTITUTE AMENDMENT NO. _____

for

HOUSE _____ AMENDMENT NO. _____

Offered By

1 AMEND House Bill No. 1531, Page 1, Section 507.060, Lines 11 and 13, by deleting the word,
2 "section" and inserting in lieu thereof the words, "subsections 2 to 5 of this section"; and

3
4 Further amend said bill, page and section, Line 11, by deleting the word, "includes the insurer" and
5 inserting in lieu thereof the word, "means the insurer, or any entity which is provided for in sections
6 537.700 through 537.756 or which provides risk management services to any public or private
7 entity,"; and

8
9 Further amend said bill, page and section, Line 13, by deleting the word, "includes" and inserting in
10 lieu thereof the word, "means"; and

11
12 Further amend said bill, page and section, Lines 15 through 16, by removing all of said lines and
13 inserting in lieu thereof the following:

14
15 "4. If, within ninety days after receiving the first offer of settlement or demand for payment
16 by a claimant, a plaintiff files an action for interpleader under this"; and

17
18 Further amend said bill and section, Page 2, Lines 19 through 22, by removing all of said lines and
19 inserting in lieu thereof the following

20
21 "insured or defendant for any amount in excess of the plaintiff's contractual limits of coverage in the
22 interpleader or any other action, so long as the plaintiff defends its insured from any claim or
23 lawsuit for damages allegedly caused by the occurrence for which the limits of coverage were paid
24 into court, even after depositing its limits of coverage into court notwithstanding any policy
25 provision releasing the insurer of its duty to defend"; and

26
27 Further amend said bill, section and page, Line 28, by deleting all of said line and inserting in lieu
28 thereof the following:

29
30 "of coverage into court and defends its insured as required by subsection 4 of this section."; and

31
32 Further amend said bill, section and page, Line 28, by inserting after all of said line the following:

Action Taken _____ Date _____

1
2 "6. Nothing in this section shall be construed, expressly or by implication, to amend,
3 modify, or abrogate any contractual rights, duties, or obligations under any insurance contract,
4 including but not limited to any provisions relating to the duty to defend, except when a plaintiff has
5 deposited its limits of coverage into court and defended its insured as required by subsection 4 of
6 this section."; and

7
8 Further amend said bill by amending the title, enacting clause, and intersectional references
9 accordingly.

10
11 SUBSTITUTE AMENDMENT FOR AMENDMENT 4988H01.07H