

## ONE HUNDRED SECOND LEGISLATURE

## SECOND SESSION

**LEGISLATIVE RESOLUTION 563**

Introduced by Christensen, 44.

PURPOSE: The purpose of this study resolution is to examine the constitutionality of AM1603 to LB514 (2011) which would provide an additional recovery amount for compensatory or actual damages sustained due to an unreasonable delay or denial by an insurance company of a property and casualty insurance claim of up to one times the recovery award, including reasonable attorney's fees, as liquidated damages. The study shall include, but not be limited to:

(1) A review of the issues in Abel vs. Conover, 170 Neb. 926, 104 N.W.2d 684 (1960) and any other relevant cases;

(2) A review of Colorado's laws regarding unreasonable delay or denial of insurance claims, and the effect of such laws since their enactment; and

(3) Research and development of findings on the appropriate changes necessary to ensure reasonable timeframes and treatment of claims.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SECOND LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.