

February 3, 1999

**S 24. PRELITIGATION INS. INFO./MEDIATION. TO REQUIRE INSURERS TO PROVIDE INFORMATION PRIOR TO LITIGATION REGARDING POLICY PROVISIONS AND POLICY LIMITS UPON WRITTEN REQUEST AND TO GIVE AN INSURER WHO PROVIDES SUCH INFORMATION THE OPTION OF INITIATING MEDIATION WITH THE PERSON WHO SOUGHT THE INFORMATION.** Adds new GS 58-3-33 to allow insurer in claim involving physical injury or property damage to condition response to request for information regarding policy limits upon consent to prelitigation mediation. If person requesting information consents, insurer must provide information in 30 days. Adds new GS 7A-38.5 to allow insurer to initiate prelitigation mediation process if it has provided information regarding policy limits and coverage. Establishes procedure for filing request, paying costs of mediator, and conduct of mediation. Specifies that time periods related to the filing of a claim are tolled from time of insurer's filing request for mediation until 30 days after mediator specifies mediation is concluded. Effective Oct. 1, 1999; applies to actions arising on or after that date.

**Intro. by Dalton.**

Ref. to Judiciary II

GS 7A, 58