

SENATE, No. 2843

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 9, 2022

Sponsored by:

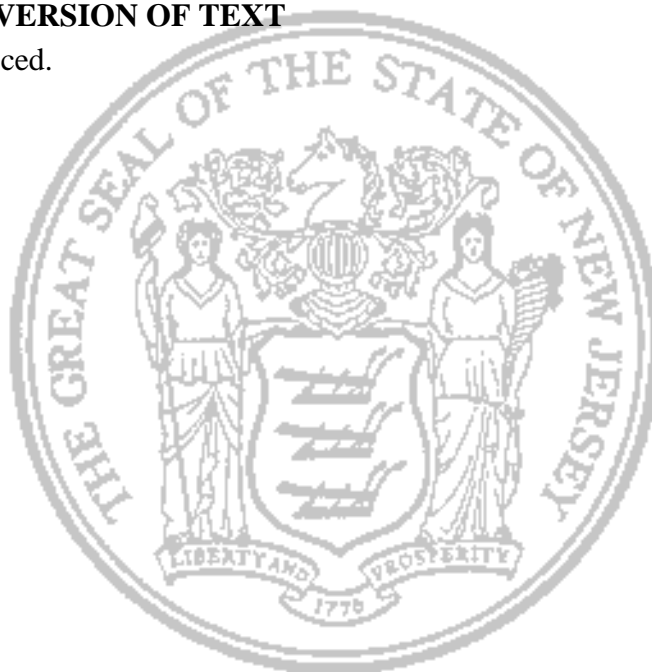
Senator NICHOLAS P. SCUTARI
District 22 (Middlesex, Somerset and Union)
Senator JON M. BRAMNICK
District 21 (Morris, Somerset and Union)
Assemblyman RAJ MUKHERJI
District 33 (Hudson)
Assemblywoman ANNETTE QUIJANO
District 20 (Union)
Assemblyman BENJIE E. WIMBERLY
District 35 (Bergen and Passaic)

SYNOPSIS

Requires certain insurers to disclose policy limits upon request by an attorney under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/29/2022)

1 AN ACT concerning disclosure of certain insurance policy limits
2 and supplementing P.L.1972, c.197 (C.39:6B-1 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6

7 1. a. An insurer who receives a request, from an attorney
8 admitted to the practice of law in this State, for disclosure of the
9 policy limits under an insurance policy issued by the insurer to an
10 insured, shall provide written disclosure of the policy limits to the
11 attorney no later than 30 days from receipt of the request. The
12 disclosure shall indicate the limits of all applicable insurance
13 policies and any applicable umbrella or excess liability insurance
14 policies issued by the insurer to the insured.

15 b. A request for disclosure of policy limits shall be in writing
16 and shall include:

17 (1) a statement that the attorney represents an individual who
18 has suffered bodily injury or death alleged to be caused by an
19 accident with an insured under an insurance policy issued by the
20 insurer, entity, or business;

21 (2) the name and last known address of the insured;

22 (3) the date and approximate time of the accident;

23 (4) a copy of the accident report, if available, relating to the
24 accident; and

25 (5) in the case of a motor vehicle accident, a statement from the
26 claimant, or an attorney representing the claimant, providing
27 insurance information, which shall include the claimant's:

28 (a) insurer, policy number, and policyholder name;

29 (b) tort threshold selection; and

30 (c) personal injury protection coverage limit.

31 c. Disclosure of policy limits under this section shall not
32 constitute an admission that the alleged injury or damage is subject
33 to the policy.

34 d. Information concerning the insurance policy shall not be
35 admissible as evidence at trial by reason of disclosure pursuant to
36 this section. The disclosure shall be confidential and available only
37 to the individual injured and the attorney representing the injured
38 person and personnel in the office of the attorney.

39 e. The Department of Banking and Insurance shall publish on
40 its website the email address of each insurer, which shall be
41 supplied by each insurer issuing applicable policies in this State, for
42 the purpose of receiving requests for policy limit disclosures
43 pursuant to this section.
44

45 2. This act shall take effect immediately, except subsection e.
46 of section 1 of this act shall take effect on the 60th day next
47 following enactment.

STATEMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38

This bill provides that an insurer who receives certain requests, from attorneys admitted to the practice of law in this State, for disclosure of the policy limits under an insurance policy issued by the insurer to an insured, shall provide written disclosure of the policy limits to the attorney within 30 days from receipt of the request. The disclosure shall indicate the limits of all applicable insurance policies and any applicable umbrella or excess liability insurance policies issued by the insurer to the insured.

The bill provides that a request for disclosure of policy limits shall be in writing and shall include:

- (1) a statement that the attorney represents an individual who has suffered bodily injury or death alleged to be caused by an accident with an insured under an insurance policy issued by the insurer, entity, or business;
- (2) the name and last known address of the insured;
- (3) the date and approximate time of the accident;
- (4) a copy of the accident report, if available, relating to the accident; and
- (5) in the case of a motor vehicle accident, a statement from the claimant, or an attorney representing the claimant, providing insurance information, including the claimant's insurer, policy number, and policyholder name; tort threshold selection; and personal injury protection coverage limit.

Under the bill, disclosure of policy limits does not constitute an admission that the alleged injury or damage is subject to the policy, and information concerning the insurance policy is not admissible as evidence at trial by reason of disclosure pursuant to the bill. The disclosure is to be confidential and available only to the individual injured and the attorney representing the injured person and personnel in the office of the attorney.

The Department of Banking and Insurance is required to publish on its website the email address of each insurer, which shall be supplied by each insurer issuing applicable policies in this State, for the purpose of receiving requests for policy limit disclosures. This provision takes effect on the 60th day next following enactment of the bill.