

Session 113 - (1999-2000)

S 1265 General Bill, By Holland and Short

Summary: Tort claims, civil actions; instance of vehicular collision, liability insurance; cause of action for bad faith; Courts

A BILL TO AMEND SECTION 15-78-70, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT A STATE AGENCY OR POLITICAL SUBDIVISION BE NAMED AS PARTY DEFENDANT FOR THE LIABILITY OF AN EMPLOYEE UNDER THE TORT CLAIMS ACT, SO AS TO PROVIDE THAT AN EMPLOYEE MAY BE JOINED AS A PARTY DEFENDANT, IN NAME ONLY, IN CERTAIN INSTANCES OF VEHICULAR COLLISIONS WHERE LIABILITY INSURANCE IS CARRIED ON THE PARTICULAR VEHICLE, OR THERE IS AN APPLICABLE UNDERINSURED MOTORIST PROVISION OF AN INSURANCE POLICY, FOR THE PURPOSE OF CLAIMING THE LIABILITY INSURANCE IN ADDITION TO THE LIABILITY PAID BY THE STATE AS PROVIDED IN THIS CHAPTER; AND TO ADD SECTION 15-78-153 TO CHAPTER 78 OF TITLE 15, RELATING TO THE TORT CLAIMS ACT, SO AS TO PROVIDE A CAUSE OF ACTION FOR BAD FAITH IN THE SETTLEMENT OF A CLAIM AGAINST THE INSURANCE COMPANY, CARRIER, OR ADJUSTING FIRM HANDLING CLAIMS FOR A GOVERNMENTAL ENTITY AS PROVIDED IN THIS CHAPTER.

03/21/00 Senate Introduced and read first time SJ-9

03/21/00 Senate Referred to Committee on Judiciary SJ-9