

SB2818



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2818

Introduced 1/28/2010, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

215 ILCS 5/143.24d new

Amends the Illinois Insurance Code. Provides that insurers shall arbitrate and settle all disputed claims made for automobile physical damage between them in accordance with the terms of and rules adopted pursuant to the Nationwide Inter-Company Arbitration Agreement unless the parties agree to use another forum. Provides that mandatory arbitration shall be limited solely to the issues of liability and damages. Provides that every insurer licensed to issue a policy of automobile insurance shall be a signatory of the Nationwide Inter-Company Arbitration Agreement or any successor thereto. Effective immediately.

LRB096 18340 RPM 33717 b

A BILL FOR

1 AN ACT concerning insurance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Insurance Code is amended by adding
5 Section 143.24d as follows:

6 (215 ILCS 5/143.24d new)

7 Sec. 143.24d. Physical damage arbitration between
8 insurers.

9 (a) Insurers shall arbitrate and settle all disputed claims
10 made for automobile physical damage between them in accordance
11 with the terms of and rules adopted pursuant to the Nationwide
12 Inter-Company Arbitration Agreement, or any successor thereto,
13 as adopted and from time to time amended by its members unless
14 the parties mutually agree, on a case-by-case basis, to use
15 another forum; the alternate forum may include a court of
16 competent jurisdiction, in which case the claim shall be
17 arbitrated or tried in that alternate forum. Mandatory
18 arbitration of disputed claims shall be limited solely to the
19 issues of liability and damages.

20 (b) Every insurer licensed to issue a policy of automobile
21 insurance, as defined in subsection (a) of Section 143.13 of
22 this Code, shall be a signatory of the Nationwide Inter-Company
23 Arbitration Agreement or any successor thereto.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.