

1 AN ACT concerning regulation.

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  
5 changing Section 143.24d as follows:

6 (215 ILCS 5/143.24d)

7 Sec. 143.24d. Arbitration of physical damage subrogation  
8 claims between insurers in certain cases.

9 (a) With respect to physical damage subrogation claims  
10 arising from auto damages incurred on or after January 1, 2012,  
11 insurers shall arbitrate and settle such claims where the  
12 amount in controversy, exclusive of the costs of the  
13 arbitration, is less than \$2,500. Such arbitration shall be in  
14 accordance with the terms of and rules adopted pursuant to the  
15 Nationwide Inter-Company Arbitration Agreement, or any  
16 successor thereto, as adopted and from time to time amended by  
17 its members, unless the parties on a case-by-case basis  
18 mutually agree to use another forum; the alternate forum may  
19 include a court of competent jurisdiction, in which case the  
20 claim shall be arbitrated or tried in that alternate forum.  
21 Mandatory arbitration of disputed claims shall be limited  
22 solely to the issues of liability and damages. Nothing in this  
23 Section shall preclude a party from seeking resolution in a

1 court of competent jurisdiction after a decision has been  
2 rendered in an arbitration.

3 (b) Nothing in this Section shall be interpreted to require  
4 an insurer to become a member of any organization or to sign  
5 the Nationwide Inter-Company Arbitration Agreement.

6 (Source: P.A. 97-513, eff. 1-1-12.)