

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 745 Session of  
2007

INTRODUCED BY GREENLEAF, RAFFERTY, O'PAKE, EARLL, TARTAGLIONE,  
ERICKSON, BOSCOLA AND RHOADES, APRIL 10, 2007

REFERRED TO JUDICIARY, APRIL 10, 2007

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, further providing, in  
3 special damages, for actions on insurance policies.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 8371 of Title 42 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 8371. Actions on insurance policies.

9 In an action arising under an insurance policy, if the  
10 [court] trier of fact finds that the insurer has acted in bad  
11 faith toward the insured, the [court] trier of fact may take all  
12 of the following actions:

13 (1) Award interest on the amount of the claim from the  
14 date the claim was made by the insured in an amount equal to  
15 the prime rate of interest plus 3%.

16 (2) Award punitive damages against the insurer.

17 (3) Assess court costs and attorney fees against the  
18 insurer.

1       Section 2.   This act shall take effect in 60 days.