

2023 -- H 5438

LC001009

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE--PROCEDURE GENERALLY --  
CAUSES OF ACTION

Introduced By: Representative Jason Knight

Date Introduced: February 08, 2023

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 9-1-50 of the General Laws in Chapter 9-1 entitled "Causes of  
2 Action" is hereby amended to read as follows:

3 **9-1-50. Settled claims not paid within thirty (30) days.**

4 (a) Whenever any claim is settled, the insurance company, adjusting company, or any other  
5 person, firm, or corporation responsible for paying the settlement shall make payment within thirty  
6 (30) days from the date the claimant or his or her attorney sends the release. [The signed release](#)  
7 [may be transmitted to the party responsible for paying the settlement or their attorney in electronic](#)  
8 [format.](#) Failure to make payment within thirty (30) days shall raise a presumption that failure to do  
9 so was a willful and wanton disregard for the rights of the claimant. In addition to all other remedies,  
10 the payor shall be liable to the claimant in a separate cause of action for punitive damages and  
11 interest which shall be computed at the rate of twelve percent (12%) per annum from the date the  
12 cause of action giving rise to the settlement occurred until the judgment on the claim brought  
13 pursuant to this section is entered.

14 (b) Any claim brought under the provisions of this section shall be given a priority on the  
15 trial calendar.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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- 1           This act would permit a signed release to be transmitted to the party responsible for paying
- 2 the settlement or their attorney by electronic means.
- 3           This act would take effect upon passage.

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