

**Department of Legislative Services**  
Maryland General Assembly  
1999 Session

**FISCAL NOTE**

House Bill 244 (Delegates Doorv and Vallario)

Economic Matters

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**Civil Actions - Liability of Insurer for Damages, Costs, and Expenses**

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This bill allows an insured to recover costs and expenses, including reasonable attorney's fees, from an insurer in a civil action to determine insurance coverage or entitlement to payment for a covered loss, if the court finds in favor of the insured. It also provides that a prevailing insured may recover interest at the legal rate on costs and expenses incurred by the insured from the date the claim was submitted. The bill provides that these provisions may not be construed to limit the right to maintain an action for damages otherwise available.

The bill is to be construed prospectively only; it would not apply to a cause of action arising before October 1, 1999, the bill's effective date.

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**Fiscal Summary**

**State Effect:** None. The bill would not directly affect governmental operations or finances.

**Local Effect:** None.

**Small Business Effect:** Potential minimal.

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**Information Source(s):** Maryland Insurance Administration, Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - March 2, 1999

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