Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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Bill Number: HB107ER **Patron:** Ballard
Bill Title: Underinsured motorist benefits; actions against released defendant.

Bill Summary: Provides that any action brought by an injured person to recover underinsured motorist benefits after payment of the liability insurer's available limits is required to be brought against the released defendant by name and that the complaint is required to be served on any insurer providing underinsured motorist benefits but is not required to be served on the released defendant. Additionally, the bill provides that an underinsured motorist is presumed to have failed to reasonably cooperate in the defense of any lawsuit brought against him if he fails or refuses to meet with defense counsel for a reasonable period of time after reasonable notice after the underinsured motorist benefits insurer is served with any lawsuit and again prior to his deposition and trial. Under current law, such presumption is based on such underinsured motorist's failure or refusal to meet with defense counsel for a reasonable period of time after reasonable notice within 21 days of being served with any lawsuit and again prior to deposition or trial.

Budget Amendment Necessary: No **Items Impacted:** None
Explanation: N/A

Fiscal Summary: There is no anticipated state fiscal impact associated with this proposed legislation. Any unanticipated fiscal impact that may result from this proposal is expected to be absorbed with existing resources.

Fiscal Analysis: See fiscal summary.