

By: Representative Chism

To: Judiciary A

HOUSE BILL NO. 1221

1 AN ACT TO PROHIBIT CIVIL LIABILITY AGAINST A PERSON OR ENTITY  
2 FOR FURNISHING INFORMATION CONCERNING INSURANCE FRAUD TO ANY LAW  
3 ENFORCEMENT, INVESTIGATORY, PROSECUTORIAL OR REGULATORY AGENT OR  
4 AGENCY, INSURER OR STATUTORY RESIDUAL MARKET PLAN; AND FOR RELATED  
5 PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** (1) Except as otherwise provided in subsection  
8 (2) of this section, there shall be no civil liability imposed on  
9 and no cause of action shall arise against a person or entity for  
10 furnishing information concerning suspected or completed insurance  
11 fraud to any law enforcement, investigatory, prosecutorial or  
12 regulatory agent or agency, insurer, or statutory residual market  
13 plan. This shall not abrogate or modify common law or statutory  
14 privileges or immunities enjoyed by a person or entity. The  
15 prohibition of civil liability applies only to the act of  
16 reporting and does not limit civil liability against a person or  
17 entity for committing fraud or other tortious conduct.

18 (2) Subsection (1) of this section shall not apply to claims  
19 against persons where false statements were made with actual



20 malice by persons furnishing information concerning suspected or  
21 completed insurance fraud. Any civil action brought against a  
22 person for filing a report or furnishing other information  
23 concerning insurance fraud shall be dismissed unless the party  
24 bringing the action has pleaded specifically that subsection (1)  
25 does not apply because the person filing the report or furnishing  
26 the information did so with actual malice, and has pleaded  
27 specifically facts that support a claim of actual malice.

28         **SECTION 2.** This act shall take effect and be in force from  
29 and after July 1, 2018.

