

By: Senator(s) Carmichael

To: Insurance; Judiciary,
Division A

SENATE BILL NO. 2527
(As Sent to Governor)

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
5 RELATED 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 in bad faith by



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

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

