

SENATE BILL No. 383

April 14, 2005, Introduced by Senators BARCIA, SCOTT and SCHAUER and referred to the Committee on Banking and Financial Institutions.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3136.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3136. IF AN INJURED PERSON RECOVERS DAMAGES UNDER SECTION
2 3135 FOR NONECONOMIC LOSS OR EXCESS ECONOMIC LOSS AND IS REQUIRED
3 TO PAY ALL OR A PORTION OF THAT RECOVERY TO ANY PERSON OR ENTITY
4 CLAIMING A LIEN OR RIGHT OF REIMBURSEMENT, SUBROGATION, RECOUPMENT,
5 OR OFFSET AGAINST THE RECOVERY, THE INSURER RESPONSIBLE TO PAY
6 PERSONAL PROTECTION INSURANCE BENEFITS TO THE INJURED PERSON SHALL
7 REIMBURSE THE INJURED PERSON FOR THE AMOUNT HE OR SHE IS REQUIRED
8 TO PAY THE PERSON OR ENTITY TO THE EXTENT THAT THE PAYMENT WOULD
9 HAVE BEEN PAYABLE BY THE INSURER IF THE PERSON OR ENTITY HAD NOT
10 PAID THOSE BENEFITS.