

MAINE STATE LEGISLATURE

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EIGHTY-THIRD LEGISLATURE

House Document

No. 248

H. P. 921

House of Representatives, Feb. 22, 1927.

Referred to Committee on Mercantile Affairs and Insurance and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Decker of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-SEVEN

AN ACT Regulating the Payment of Losses Under Certain
Policies of Liability Insurance.

Be it enacted by the People of the State of Maine, as follows:

Section 1. The liability of any company under a policy
2 insuring against liability for loss or damage on account of
3 bodily injury or death by accident or on account of dam-
4 age to property shall become absolute whenever such loss
5 or damage, for which the insured is responsible, occurs,
6 and the satisfaction by the insured of a final judgment for
7 such loss or damage shall not be a condition precedent to
8 the right or duties of the company to make payment on
9 account of said loss or damage. No such contract of in-
10 surance shall be cancelled or annulled by any agreement

11 between the company and the insured after the said in-
12 sured has become responsible for such loss or damage and
13 any such cancellation or annulment shall be void.

Sect. 2. Upon the recovery of a final judgment against
2 any person, firm or corporation by any person, including
3 executors, administrators or guardians, firm or corporation,
4 for any loss or damage specified in the preceding section,
5 if the judgment debtor was at the accrual of the cause of
6 action insured against liability therefor, and the insurer had
7 notice of the accident, injury or damage prior to said judg-
8 ment, the judgment creditor shall be entitled to have the
9 insurance money applied to the satisfaction of the judg-
10 ment by bringing a bill in equity in his own name against
11 the insurance company to reach and apply said insurance
12 money provided for in the contract of insurance between
13 the company and the judgment debtor towards the satis-
14 faction or the partial satisfaction of the final judgment.

Sect. 3. No bill in equity shall be brought against an in-
2 surance company to reach and apply said insurance money
3 until twenty days shall have elapsed from the time of the
4 rendition of the final judgment against the judgment debtor.

Sect. 4. All acts or parts of acts inconsistent with this
2 act are hereby repealed.