

# ACT No. 182

2025 Regular Session

HOUSE BILL NO. 345

BY REPRESENTATIVES WYBLE, BAMBURG, CARLSON, AND MELERINE AND  
SENATOR BARROW

1 AN ACT

2 To amend and reenact R.S. 22:41(9), 887(A)(introductory paragraph) and (1)(a) and (G)(1),  
3 1266(A)(5), (D)(1), and (E)(1)(introductory paragraph), 1267(C)(2)(a) and (E)(1),  
4 and 1335(A), relative to property and casualty insurance; to provide for the  
5 nonrenewal or cancellation of residential property insurance policies; to provide  
6 relative to required written notices; to provide for technical changes; to provide for  
7 an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 22:41(9), 887(A)(introductory paragraph) and (1)(a) and (G)(1),  
10 1266(A)(5), (D)(1), and (E)(1)(introductory paragraph), 1267(C)(2)(a) and (E)(1), and  
11 1335(A) are hereby amended and reenacted to read as follows:

12 §41. Policyholder bill of rights

13 The following items exist in Louisiana statutes and ~~shall~~ serve as standards  
14 for a policyholder bill of rights and do not create additional causes of actions or  
15 further penalties not otherwise provided under Louisiana statutes:

16 \* \* \*

17 (9) Policyholders shall have the right to receive written notice of cancellation  
18 or nonrenewal at least ~~thirty~~ sixty days prior to the effective date of the cancellation  
19 or nonrenewal, unless the cancellation or nonrenewal is for ~~non-payment~~  
20 nonpayment of premium and shall have the right to protection from improper  
21 cancellation or nonrenewal in accordance with R.S. 22:1265 and 1333.

22 \* \* \*

1 §887. Cancellation by insurer; changes to ~~homeowner's~~ homeowners insurance  
2 policies

3 A. Cancellation by the insurer of any policy which by its terms may be  
4 cancelled at the option of the insurer, or of any binder based on such policy, may be  
5 ~~effected~~ affected as to any interest only upon compliance with either of the  
6 following:

7 (1)(a) Written notice of such cancellation ~~must~~ shall be actually delivered  
8 or mailed to the insured or to his representative in charge of the subject of the  
9 insurance not less than ~~thirty~~ sixty days prior to the effective date of the cancellation  
10 except when termination of coverage is for nonpayment of premium. The insurer  
11 shall include in the notice the cause for which the insurer is failing to renew the  
12 policy.

13 \* \* \*

14 G.(1) No insurer shall fail to renew a policy providing property or casualty  
15 insurance unless a notice of intention to not renew is mailed or delivered to the  
16 named insured at the address shown on the policy at least ~~thirty~~ sixty days prior to  
17 the effective date of nonrenewal. An insurer shall include in the notice the cause for  
18 which the insurer is failing to renew the policy.

19 \* \* \*

20 §1266. Automobile, property, casualty, and liability insurance policies; cancellations

21 A. As used in this Part:

22 \* \* \*

23 (5) "Renewal" or "to renew" means the issuance and delivery by an insurer  
24 of a policy replacing at the end of the policy period a policy previously issued and  
25 delivered by the same insurer, or the issuance and delivery of a certificate or notice  
26 extending the term of a policy beyond its policy period or term. However, no policy  
27 of insurance for a period of less than six months shall be issued by an insurer to any  
28 person who has been issued two or more citations for violations of R.S. 32:851 et  
29 seq. or R.S. 32:861 et seq., and any policy issued to a person receiving two or more  
30 citations shall be considered as if written for a policy period or term of six months.

1 Any policy which is written for a term longer than one year or any policy which is  
 2 renewed by an insurer shall be for the same term as the original or expired policy,  
 3 or any policy with no fixed expiration date shall for the purpose of this Subpart be  
 4 considered as if written for successive policy periods or terms of one year. Such a  
 5 policy may be terminated at the expiration of any annual period upon giving ~~twenty~~  
 6 ~~days~~ sixty days notice of cancellation prior to such anniversary date. This  
 7 cancellation ~~shall not be~~ is not subject to any other provisions of this Subpart.

8 \* \* \*

9 D.(1) No notice of cancellation of a policy to which Subsection B or C of this  
 10 Section applies shall be effective unless mailed by certified mail or delivered by the  
 11 insurer to the named insured at least ~~thirty~~ sixty days prior to the effective date of  
 12 cancellation; however, when cancellation is for nonpayment of premium, at least ten  
 13 days notice of cancellation accompanied by the reason shall be given. In the event  
 14 of nonpayment of premiums for a binder, a ten-day notice of cancellation shall be  
 15 required before the cancellation shall be effective. Notice of cancellation for  
 16 nonpayment of premiums ~~shall not be~~ is not required to be sent by certified mail.  
 17 Unless the reason accompanies the notice of cancellation, the notice of cancellation  
 18 shall state or be accompanied by a statement that upon written request of the named  
 19 insured, mailed or delivered to the insurer within six months after the effective date  
 20 of cancellation, the insurer will specify the reason for such cancellation. This  
 21 Subsection ~~shall~~ does not apply to nonrenewal.

22 \* \* \*

23 E.(1) No insurer shall fail to renew a policy unless it ~~shall mail or deliver~~  
 24 mails or delivers to the named insured, at the address shown in the policy, at least  
 25 ~~twenty days~~ sixty days advance notice of its intention not to renew. This Subsection  
 26 ~~shall~~ does not apply in any of the following circumstances:

27 \* \* \*

1 §1267. Commercial insurance; cancellation and renewal

2 \* \* \*

3 C.

4 \* \* \*

5 (2)(a) A notice of cancellation of insurance coverage by an insurer shall be  
6 in writing and shall be mailed or delivered to the first-named insured at the mailing  
7 address as shown on the policy. Notices of cancellation based on R.S.  
8 22:1267(C)(1)(b) through (g) shall be mailed or delivered at least ~~thirty~~ sixty days  
9 prior to the effective date of the cancellation, ~~notices~~ Notices of cancellations based  
10 upon R.S. 22:1267(C)(1)(a) shall be mailed or delivered at least ten days prior to the  
11 effective date of cancellation. The notice shall state the effective date of the  
12 cancellation.

13 \* \* \*

14 E.(1) An insurer shall mail or deliver to the named insured at the mailing  
15 address shown on the policy written notice of any rate increase, change in deductible,  
16 or reduction in limits or coverage at least ~~thirty~~ sixty days prior to the expiration date  
17 of the policy. If the insurer fails to provide such ~~thirty-day~~ notice, the coverage  
18 provided to the named insured at the expiring policy's rate, terms, and conditions  
19 shall remain in effect until notice is given or until the effective date of replacement  
20 coverage obtained by the named insured, whichever first occurs. For the purposes  
21 of this Subsection, notice is considered given ~~thirty~~ sixty days following date of  
22 mailing or delivery of the notice. If the insured elects not to renew, any earned  
23 premium for the period of extension of the terminated policy shall be calculated pro  
24 rata at the lower of the current or previous year's rate. If the insured accepts the  
25 renewal, the premium increase, if any, and other changes shall be effective the day  
26 following the prior policy's expiration or anniversary date.

27 \* \* \*

