

2022 Regular Session

SENATE BILL NO. 134

BY SENATOR TALBOT

INSURANCE POLICIES. Provides for the presumption of coverage for certain claims subsequent to a catastrophic event. (1/1/23)

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AN ACT

To enact R.S. 22:1273, relative to presumption of insurance coverage; to provide a presumption of coverage for civil authority prohibited use regarding a catastrophic event; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1273 is hereby enacted to read as follows:

§1273. Presumption of coverage; civil authority prohibited use

A. For losses that arise due to a catastrophic event in which a state of disaster or emergency is declared by civil officials, for those areas within the declaration, if a civil authority prohibits the insured from using their residential premises and during that time, direct damage to a neighboring premises results from a covered peril, the civil authority prohibited use coverage shall be afforded as provided in the policy. The requirement that a civil authority prohibit use is satisfied if either of the following occur:

(1) A civil authority issues an order of evacuation for the area in which the dwelling is located as a result of a peril covered by the policy.

(2) A civil authority declares through public safety announcements that

