The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Beth O'Quin.

DIGEST 2022 Regular Session

Talbot

<u>Present law</u> requires any insurer to give a written notice when an insurance policy is canceled or nonrenewed and requires the notice be given to the insured, and to any known person shown on the policy to have an interest in any loss that may occur.

<u>Proposed law</u> retains <u>present law</u> and adds if the governor declares a state of emergency for a named storm or windstorm the insurer cannot cancel or nonrenew an insurance policy providing coverage for property located in this state, subject to the declaration of the state of emergency, and the property was damaged as a result of the named storm or hurricane until 90 days after the property has been repaired.

<u>Proposed law</u> provides a structure is considered repaired when it is substantially completed and restored to the extent the property would be insurable under a similar property insurance policy offered by another insurer writing property insurance coverage in this state, except for the Louisiana Citizens Property Insurance Corporation.

<u>Proposed law</u> provides if the insurer elects to cancel or nonrenew a property insurance policy, then requires the insurer to send at least a 90-day written notice to the insured that the insurer intends to cancel or nonrenew the insured's property insurance policy.

<u>Proposed law</u> provides an insurer can cancel or nonrenew a property insurance policy prior to the property based on one of the following:

- (1) Upon ten days' written notice for nonpayment of premium.
- (2) Upon 30 days' written notice based on one of the following:
 - (a) For material misrepresentations or fraud related to the claim.
 - (b) When an insurer determines an insured has unreasonably caused a delay in the repair of the dwelling.
 - (c) When an insurer has paid the policy limits.
- (3) Upon written request from an insured.

SB 162 Original

<u>Proposed law</u> authorizes the commissioner to promulgate necessary rules and issue orders to implement proposed law.

Effective January 1, 2023.

(Adds R.S. 22:887(K - O))