

RÉSUMÉ DIGEST

ACT 290 (SB 96)

2023 Regular Session

Talbot

Existing law requires insurers to pay court costs, attorney fees, or penalty fees for property damage insurance claims not paid within the time period required in existing law.

New law retains existing law but exempts the La. Guaranty Association (LIGA) and the La. Citizens Property Insurance Corporation (Citizens) from class action lawsuits and penalty fees.

Existing law exempts LIGA from liability for special damages awarded for a property damage insurance claim.

New law retains existing law but adds Citizens to the exemption.

Existing law exempts from liability the commissioner of insurance, the governing board of Citizens or anyone acting on their behalf, and any servicing carriers, assessable insurers, participating insurance producers, and representatives of the Dept. of Insurance. Provides exceptions from immunity if such exempted persons commit any intentional tort, criminal act, or other certain acts including but not limited to breaches of insurance contracts or agreements.

New law retains existing law, but adds that Citizens is not exempt from liability for any statutory obligations related to insurance coverage or a supervisory or regulatory action, examination, or audit made by the commissioner.

Effective August 1, 2023.

(Amends R.S. 22:1973(F) and 2296; adds R.S. 22:1892(H))