2024 Regular Session

### HOUSE BILL NO. 511

## BY REPRESENTATIVE ILLG

1	AN ACT
2	To amend and reenact R.S. 22:1295(1)(a)(ii), relative to uninsured motorist coverage; to
3	provide relative to the uninsured motorist rejection form; to require insurers to verify
4	proper completion of the form; to require insurers' retention of a copy; to prohibit
5	delegation of retention responsibilities; to provide for applicability; and to provide
6	for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 22:1295(1)(a)(ii) is hereby amended and reenacted to read as
9	follows:
10	§1295. Uninsured motorist coverage
11	The following provisions shall govern the issuance of uninsured motorist
12	coverage in this state:
13	(1)(a)
14	* * *
15	(ii) Such rejection, selection of lower limits, or selection of economic-only
16	coverage shall be made only on a form prescribed by the commissioner of insurance.
17	The prescribed form shall be provided by the insurer and signed by the named
18	insured or his legal representative. The form signed by the named insured or his
19	legal representative which initially rejects such coverage, selects lower limits, or
20	selects economic-only coverage shall be conclusively presumed to become a part of
21	the policy or contract when issued and delivered, irrespective of whether physically
22	attached thereto. A properly completed and signed form creates a rebuttable
23	presumption that the insured knowingly rejected coverage, selected a lower limit, or
24	selected economic-only coverage. An insurer may require the producer of record to
25	obtain a completed selection form and deliver the form to the insurer; however, the
26	insurer shall verify that the form is properly completed, retain a copy of the form as

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	part of the policy, and shall not delegate this obligation to retain a properly
2	completed form to the producer of record. The form signed by the insured or his
3	legal representative which initially rejects coverage, selects lower limits, or selects
4	economic-only coverage shall remain valid for the life of the policy and shall not
5	require the completion of a new selection form when a renewal, reinstatement,
6	substitute, or amended policy is issued to the same named insured by the same
7	insurer or any of its affiliates. An insured may change the original uninsured
8	motorist selection or rejection on a policy at any time during the life of the policy by
9	submitting a new uninsured motorist selection form to the insurer on the form
10	prescribed by the commissioner of insurance. Any changes to an existing policy,
11	regardless of whether these changes create new coverage, except changes in the
12	limits of liability, do not create a new policy and do not require the completion of
13	new uninsured motorist selection forms. For the purpose of this Section, a new
14	policy shall mean <u>"new policy" means</u> an original contract of insurance which an
15	insured enters into through the completion of an application on the form required by
16	the insurer.
17	* * *

18 Section 2. The provisions of this Act shall apply to new policies written on or after19 April 1, 2025.

## SPEAKER OF THE HOUSE OF REPRESENTATIVES

### PRESIDENT OF THE SENATE

## GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

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