

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 * * *

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

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

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

* * *

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

* * *

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

A. As used in this Part:

* * *

(5) "Renewal" or "to renew" means the issuance and delivery by an insurer of a policy replacing at the end of the policy period a policy previously issued and delivered by the same insurer, or the issuance and delivery of a certificate or notice extending the term of a policy beyond its policy period or term. However, no policy of insurance for a period of less than six months shall be issued by an insurer to any person who has been issued two or more citations for violations of R.S. 32:851 et seq. or R.S. 32:861 et seq., and any policy issued to a person receiving two or more 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 premium₂ 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 * * *

§1267. Commercial insurance; cancellation and renewal

* * *

C.

* * *

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

* * *

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

* * *

§1335. Homeowners' insurance; cancellation; nonrenewal; limited grace period for surviving spouse

A. An insurer that has issued a policy of homeowner's insurance shall not fail to renew the policy unless it has mailed or delivered to the named insured, at the address shown in the policy, written notice of its intention not to renew. The notice of nonrenewal shall be mailed or delivered at least ~~thirty~~ sixty days before the expiration date of the policy. If the notice is mailed less than ~~thirty~~ sixty days before expiration, coverage shall remain in effect under the terms and conditions until ~~thirty~~ sixty days after the notice is mailed or delivered. The insurer shall include in the notice the cause for which the insurer is failing to renew the policy. Any earned premium for the period of coverage extended beyond the expiration date shall be considered pro rata based upon the rate of the previous year.

* * *

Section 2. This Act shall become effective on July 1, 2026.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____