

2015 Regular Session

HOUSE BILL NO. 160

BY REPRESENTATIVE HUVAL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURERS/AGENTS: Provides relative to insurance producers and certificates of insurance

1 AN ACT

2 To enact R.S. 22:890(Q), relative to the issuance of certificates of insurance by an insurance
3 producer; to provide for no cause of action against an insurance producer under
4 certain circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:890(Q) is hereby enacted to read as follows:

7 §890. Certificates of insurance

8 * * *

9 Q. There shall be no cause of action against an insurance producer for the
10 completion or issuance of any supplement to a certificate of insurance provided to
11 a person other than a policyholder or a lender in a lending transaction involving a
12 mortgage, lien, or other security interest in or on any real or personal property unless
13 the insurance producer willfully completes or is grossly negligent in completing the
14 certificate of insurance in a manner which misrepresents the underlying insurance
15 policy or otherwise violates this Section.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 160 Engrossed

2015 Regular Session

Huval

Abstract: Provides that there shall be no cause of action against an insurance producer for his issuing a certificate of insurance unless the producer willfully misrepresents the underlying insurance policy in the certificate.

Present law provides for the issuance of certificates of insurance by insurers or insurance producers.

Proposed law provides that there shall be no cause of action against an insurance producer for completing or issuing any supplement to a certificate of insurance to a person other than a policyholder or a lender involved in a mortgage, lien, or any real or personal property security interest transaction, unless the insurance producer willfully competes or is grossly negligent in completing the certificate in a manner which misrepresents the underlying policy.

(Adds R.S. 22:890(Q))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the original bill:

1. Restrict the no cause of action against a producer to the completion of any supplement to a certificate of insurance provided to a person other than a policyholder or a lender in a lending transaction involving a mortgage, lien, or other security interest in real or personal property.
2. Allow a cause of action against a producer when the producer is grossly negligent in completing a supplement to a certificate of insurance.