

2020 Regular Session

SENATE BILL NO. 156

BY SENATOR LUNEAU

INSURERS. Prohibits insurance contracts from depriving courts of this state of the jurisdiction or venue of action against insurer. (8/1/20)

1 AN ACT

2 To amend and reenact R.S. 22:868(A) and to enact R.S. 22:868(D), relative to insurers; to  
3 provide relative to insurance contracts; to provide relative to limiting of actions; to  
4 provide certain prohibitions; to provide relative to jurisdiction and venue; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:868(A) is hereby amended and reenacted and R.S. 22:868(D) is  
8 hereby enacted to read as follows:

9 §868. Limiting actions; jurisdiction; venue

10 A. No insurance contract delivered or issued for delivery in this state and  
11 covering subjects located, resident, or to be performed in this state, or any group  
12 health and accident policy insuring a resident of this state regardless of where made  
13 or delivered, shall contain any condition, stipulation, or agreement either:

14 (1) Requiring it to be construed according to the laws of any other state or  
15 country except as necessary to meet the requirements of the motor vehicle financial  
16 responsibility laws of such other state or country.

17 (2) Depriving the courts of this state of the jurisdiction or venue of action

1 against the insurer.

2 \* \* \*

3 **D. The provisions of Subsection A of this Section shall not prohibit a**  
4 **forum or venue selection clause in a policy form that is not subject to approval**  
5 **by the Department of Insurance.**

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The original instrument was prepared by Xavier Alexander. The following digest, which does not constitute a part of the legislative instrument, was prepared by Nancy Vicknair.

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DIGEST

SB 156 Reengrossed

2020 Regular Session

Luneau

Present law provides that no insurance contract made in the state of Louisiana shall contain any condition, stipulation, or agreement depriving the courts of this state of jurisdiction of action against the insurer.

Proposed law provides that no insurance contract made in the state of Louisiana shall contain any condition, stipulation, or agreement depriving the courts of this state of venue or jurisdiction of action against the insurer.

Proposed law provides that the provisions of present law do not prohibit a forum or venue selection in a policy form that is not subject to approval by the Dept. of Insurance.

Effective August 1, 2020.

(Amends R.S. 22:868(A); adds R.S. 22:868(D))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Provides that the provisions in present law do not prohibit a forum or venue selection in a policy form that is not subject to approval by the Dept. of Insurance.