

2022 Regular Session

HOUSE BILL NO. 83

BY REPRESENTATIVE SCHLEGEL

INSURANCE/HOMEOWNERS: Provides relative to homeowner's insurance policies that require a civil authority to prohibit use of the dwelling in order to pay loss of use benefits

1 AN ACT

2 To enact R.S. 22:1338, relative to homeowner's insurance policies; to provide certain means
3 by which a policy requirement for loss of use benefits is satisfied; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:1338 is hereby enacted to read as follows:

7 §1338. Homeowner's insurance policies; loss of use pursuant to civil authority
8 action

9 Any insurer issuing homeowner's insurance policies that require a civil
10 authority to prohibit use of the dwelling in order to pay loss of use benefits shall
11 consider that requirement satisfied if either of the following occurs:

12 (1) A mandatory evacuation order is issued by a civil authority for the area
13 in which the dwelling is located.

14 (2) A civil authority declares through a formal order or announcements in
15 public media that the area in which the dwelling is located is unsafe as a result of a
16 peril covered by the policy.

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 83 Original

2022 Regular Session

Schlegel

Abstract: Provides relative to homeowner's insurance policies that require a civil authority to prohibit use of the dwelling in order to pay loss of use benefits.

Proposed law provides that any homeowner's insurance policy requirement that necessitates a civil authority to prohibit use of the dwelling in order to pay loss of use benefits shall be considered satisfied if either of the following occurs:

- (1) A mandatory evacuation order is issued by a civil authority.
- (2) A civil authority declares through a formal order or announcements in public media that the area in which the dwelling is located is unsafe as a result of a peril covered by the policy.

(Adds R.S. 22:1338)