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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Beth O'Quin.

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DIGEST

SB 208 Original

2022 Regular Session

Stine

Present law provides that failure to make payment within 30 days after receipt of satisfactory written proofs and demand therefor or failure to make a written offer to settle any property damage claim within 30 days after receipt of satisfactory proofs of loss of that claim, or failure to make a payment within 30 days after written agreement or settlement subjects the insurer to a penalty of 50% damages on the amount found due from the insurer to the insured, of \$2500, whichever is greater, or in the event a partial payment or tender has been made, 50% of the difference between the amount paid or tendered and the amount found to be due as well as reasonable attorney fees and costs.

Proposed law retains present law but increases the penalties for an insurer failing to pay property insurance claims related to a catastrophic event after 60 days to 100% damages on the amount found due or \$5,000, whichever is greater, and paying reasonable attorney fees and costs. Further, if after 120 days the insurer fails to pay for a property insurance claim related to a catastrophic event, to 150% damages on the amount found due or \$10,000, whichever is greater, and paying reasonable attorney fees and costs.

Effective on August 1, 2022.

(Amends R.S. 22:1892(B)(1)(b))