

2022 Regular Session

HOUSE BILL NO. 991

BY REPRESENTATIVE LANDRY

INSURERS/GUARANTY ASSNS: Provides for bad faith liability for the Louisiana Insurance Guaranty Association

1 AN ACT

2 To repeal R.S. 22:1973(F), relative bad faith liability for the Louisiana Insurance Guaranty

3 Association; to repeal an exemption from liability.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 22:1973(F) is hereby repealed in its entirety.

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)]

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Abstract: Provides for bad faith liability for the Louisiana Insurance Guaranty Association.

Present law provides that any insurer who breaches its good faith duties shall be liable for any damages sustained as a result of the breach.

Present law provides that in addition to any general or special damages to which a claimant is entitled for breach of the imposed duty, the claimant may be awarded penalties assessed against the insurer in an amount not to exceed 2 times the damages sustained or \$5,000, whichever is greater.

Proposed law retains present law.

Present law provides that the Insurance Guaranty Association Fund (IGAF), as provided in present law (R.S. 22:2051 et seq.), shall not be liable for any special damages awarded under the provisions of present law. Proposed law repeals this exemption from liability.

(Repeals R.S. 22:1973(F))