

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 214

2022 Regular Session

Luneau

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

CIVIL PROCEDURE. Provides for deposition or trial testimony of out-of-state insurance claims adjusters who are licensed or registered in the state. (8/1/22)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Adds exclusion for insurance claim adjuster for an insurer domiciled in Louisiana.
2. Adds requirement that a nonresident insurance claims adjuster be available for deposition by telephone or video teleconference.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

SB 214 Engrossed

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Present law provides for the compulsory process related to requiring the appearance and testimony of witnesses that are located in another state, territory, district, or foreign jurisdiction. Present law further provides that the rules concerning any deposition are to be governed by the law of the place where the deposition is to be taken.

Proposed law retains present law but creates an exception for an insurance claims adjuster who does not reside in Louisiana but who makes a physical appearance in this state, in this state to adjust an insurance claim. Proposed law provides that an out-of-state insurance claims adjuster who adjusted the Louisiana claim is required to appear and testify at the trial in the parish or venue in which a civil suit is pending is related to the claim; and requires that they be available for deposition by telephone or video teleconference.

Proposed law provides that "insurance claims adjuster" means those persons who are licensed or registered with the Dept. of Insurance to investigate or adjust claims on behalf of an insurance company as an independent contractor or an employee.

Proposed law does not apply to any insurance claim adjuster for an insurer domiciled in Louisiana.

Effective August 1, 2022.

(Amends C.C. Art. 1435)

Lebra R. Bias
Attorney