

# ACT No. 434

2022 Regular Session

HOUSE BILL NO. 83

BY REPRESENTATIVES SCHLEGEL, BOYD, BRASS, BRYANT, WILFORD CARTER, DUPLESSIS, EDMONSTON, FISHER, LARVADAIN, MARCELLE, MARINO, STAGNI, VILLIO, AND WILLARD

1 AN ACT

2 To enact R.S. 22:1273, relative to presumption of coverage; to provide certain means by  
3 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. 22:1273 is hereby enacted to read as follows:

7 §1273. Presumption of coverage; civil authority prohibited use

8 A. For losses that arise due to a catastrophic event in which a state of disaster  
9 or emergency is declared by civil officials, for those areas within the declaration, if  
10 a civil authority prohibits the insured from using their residential premises as a result  
11 of damage to a neighboring premises due to a peril covered by the policy, the civil  
12 authority prohibited use coverage shall be afforded as provided in the policy.

13 B. For purposes of this Section, insurers shall interpret all actions of a civil  
14 authority without regard to whether formal orders of evacuation were issued.

15 Section 2. This Act shall become effective on January 1, 2023; if vetoed by the  
16 governor and subsequently approved by the legislature, this Act shall become effective on  
17 the day following such approval by the legislature or January 1, 2023, whichever is later.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_