

## RÉSUMÉ DIGEST

**ACT 559 (HB 856)**

**2022 Regular Session**

**Geymann**

Existing law provides that residential property insurance policies shall contain a provision that outlines a process whereby the amount of a loss may be set through appraisal, if an insurer and insured do not agree on the amount of the loss and the insurer or insured makes a demand for such.

Prior law made that requirement effective beginning Jan. 1, 2022.

New law removes the date for which the appraisal provision shall begin to be included in residential property insurance policies.

Prior law required the appraisal provision to provide that if an insured files a lawsuit against an insurer, relative to a residential property insurance policy, prior to a demand for appraisal, the lawsuit will be held in abatement until the execution of an appraisal award.

New law amends the appraisal provision to provide that if an insured files a lawsuit relative to his policy prior to a demand for appraisal, the lawsuit will be held in abatement during the period between a timely demand for appraisal and the deadline for execution of an appraisal award.

New law amends the appraisal provision to authorize the court of record in which the property is located to enforce the deadlines in the appraisal clause, set a reasonable deadline for timely demanding appraisal after all parties have filed pleadings, and require compliance with discovery and disclosure obligations relative to aspects of the lawsuit unrelated to the appraisal.

New law makes technical changes.

Effective January 1, 2023.

(Amends R.S. 22:1892(G))