
HOUSE COMMITTEE AMENDMENTS

2023 Regular Session

Amendments proposed by House Committee on Insurance to Original House Bill No. 604
by Representative Garofalo

AMENDMENT NO. 1

On page 1, delete lines 4 through 8 in their entirety and insert in lieu thereof the following:

"process; to provide for definitions; to provide for the registration of appraisers and umpires and respective qualifications and obligations; to provide for an umpire roster to assist in the appraisal process under certain circumstances; to provide for umpire selection and objections to such umpires; to authorize the commissioner of insurance to select an umpire under certain circumstances; to require certain submissions to the commissioner and applicable submission deadlines; to prohibit certain communications; to provide for costs; to provide for technical"

AMENDMENT NO. 2On page 1, line 18, delete "No person shall" and insert in lieu thereof "~~No person shall~~ A person shall not"**AMENDMENT NO. 3**

On page 2, line 1, delete "to be"

AMENDMENT NO. 4On page 2, line 2, delete "~~by pursuant to~~" and insert in lieu thereof "by"**AMENDMENT NO. 5**On page 2, line 4, delete "Part shall expire" and insert in lieu thereof "~~Part shall expire~~ Subpart expires"**AMENDMENT NO. 6**

On page 2, at the end of line 9, delete "such"

AMENDMENT NO. 7

On page 2, delete lines 17 through 19 in their entirety and insert in lieu thereof the following:

"desist from committing violations of this Part or the commissioner's regulations, ~~or may~~ issue an order prohibiting a person from acting as an appraiser, and ~~may~~ rescind the registration of any person, ~~if the person has violated~~ who violates this Part or the"

AMENDMENT NO. 8On page 2, line 23, after "Subpart" insert "unless the context indicates otherwise"**AMENDMENT NO. 9**On page 4, at the beginning of line 10, delete "parties" and insert in lieu thereof "appraisers"

1 AMENDMENT NO. 10

2 On page 4, delete line 15 in its entirety and insert in lieu thereof the following:

3 "(1) An engineer or architect licensed pursuant to R.S. 37:681 et seq. or R.S.
4 37:141 et seq., respectively, with experience and training"

5 AMENDMENT NO. 11

6 On page 4, delete line 17 in its entirety and insert in lieu thereof the following:

7 "(2) An adjuster or public adjuster licensed pursuant to R.S. 22:1661 et seq.
8 or R.S. 22:1691 et seq., respectively, with experience and"

9 AMENDMENT NO. 12

10 On page 4, delete line 19 in its entirety and insert in lieu thereof the following:

11 "(3) A general contractor licensed pursuant to R.S. 37:2150 et seq. with
12 experience and training in"

13 AMENDMENT NO. 13

14 On page 4, line 24, delete "insurer or claimant contractor or" and insert in lieu thereof
15 "insurer, claimant contractor, or"

16 AMENDMENT NO. 14

17 On page 5, line 5, after "provided" insert "for"

18 AMENDMENT NO. 15

19 On page 5, line 16, after "claim" delete the comma " , "

20 AMENDMENT NO. 16

21 On page 6, delete lines 21 through 24 in their entirety and insert in lieu thereof the following:

22 "A.(1) To qualify as an umpire, a person shall be any one of the following:

23 (a) An engineer or architect licensed pursuant to R.S. 37:681 et seq. or R.S.
24 37:141 et seq., respectively, with experience and training in building"

25 AMENDMENT NO. 17

26 On page 6, delete line 26 in its entirety and insert in lieu thereof the following:

27 "(b) An adjuster or public adjuster licensed pursuant to R.S. 22:1661 et seq.
28 or R.S. 22:1691 et seq., respectively, with experience and training in estimating"

29 AMENDMENT NO. 18

30 On page 6, delete line 28 in its entirety and insert in lieu thereof the following:

31 "(c) A general contractor licensed pursuant to R.S. 37:2150 et seq. with
32 experience and training in building"

1 AMENDMENT NO. 19

2 On page 7, line 1, delete "in Louisiana." and insert in lieu thereof "to practice law in this
3 state."

4 AMENDMENT NO. 20

5 On page 7, line 4, delete "(2) Not" and insert in lieu thereof "(2) A qualifying umpire shall
6 not"

7 AMENDMENT NO. 21

8 On page 7, line 23, change "or public" to "or a public"

9 AMENDMENT NO. 22

10 On page 8, line 1, delete "insurer or" and insert in lieu thereof "insurer,"

11 AMENDMENT NO. 23

12 On page 8, line 13, after "umpire is a party" delete "to"

13 AMENDMENT NO. 24

14 On page 8, line 16, delete "claim," and insert in lieu thereof "claim handled by an
15 unauthorized insurer"

16 AMENDMENT NO. 25

17 On page 9, line 10, after "policies" delete the comma " ,"

18 AMENDMENT NO. 26

19 On page 9, line 15, delete "A person shall not be listed" and insert in lieu thereof "The
20 commissioner shall not list a person"

21 AMENDMENT NO. 27

22 On page 9, line 16, delete "notice of" and insert in lieu thereof "notice to the person of his"

23 AMENDMENT NO. 28

24 On page 10, line 2, after "request" insert "to the commissioner"

25 AMENDMENT NO. 29

26 On page 10, line 19, change "section" to "Section"

27 AMENDMENT NO. 30

28 On page 10, line 28, after "appraisal and" delete "with"

29 AMENDMENT NO. 31

30 On page 11, line 25, change "agree on" to "agree to"

31 AMENDMENT NO. 32

32 On page 11, line 27, change "agree upon" to "agree to"

1 AMENDMENT NO. 33

2 On page 12, line 3, change "Subsection" to "Subsection G"

3 AMENDMENT NO. 34

4 On page 12, line 4, change "section" to "Section"

5 AMENDMENT NO. 35

6 On page 12, at the end of line 8, delete "the"

7 AMENDMENT NO. 36

8 On page 12, line 15, after "including" delete the comma ", "

9 AMENDMENT NO. 37

10 On page 12, line 16, delete "must" and insert in lieu thereof "shall"

11 AMENDMENT NO. 38

12 On page 12, line 22, delete "about" and insert in lieu thereof "for"

13 AMENDMENT NO. 39

14 On page 13, line 14, after "influence" insert "to"

15 AMENDMENT NO. 40

16 On page 13, line 15, delete "and shall not" and insert in lieu thereof "nor"

17 AMENDMENT NO. 41

18 On page 13, delete lines 17 through 22 in their entirety and insert in lieu thereof the
19 following:

20 "G.(1) The umpire shall disclose all fees and state whether fees will be
21 charged for a minimum number of hours. The umpire may specify different charges
22 for different types or values of claims. The provisions of this Paragraph do not apply
23 to umpires selected pursuant to R.S. 22:1807.19.

24 (2) The umpire shall not charge the parties on a contingent fee basis,
25 percentage of the decision, barter arrangement, gift, favor, or in-kind exchange."

26 AMENDMENT NO. 42

27 On page 13, line 23, change "commissioner selected" to "commissioner-selected"

28 AMENDMENT NO. 43

29 On page 14, line 2, delete "the parties of their right" and insert in lieu thereof "each party of
30 his respective right"

31 AMENDMENT NO. 44

32 On page 14, line 24, delete "appraiser" and insert in lieu thereof "respective appraisers"

1 AMENDMENT NO. 45

2 On page 16, line 10, change "section" to "Section"

3 AMENDMENT NO. 46

4 On page 16, line 20, after "days" insert "after the"

5 AMENDMENT NO. 47

6 On page 17, line 10, delete "wants to object" and insert in lieu thereof "objects"

7 AMENDMENT NO. 48

8 On page 17, line 11, delete "mediator or"