

SENATE BILL NO. 190

BY SENATOR SMITH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 37:2159.1(7)(a), relative to home improvement contracting; to
3 prohibit contractors from engaging in certain acts related to an insured's property
4 insurance claim; to provide relative to the assignment of any rights, benefits,
5 proceeds, or causes of action of an insured; to provide for terms, requirements, and
6 conditions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 37:2159.1(7)(a) is hereby amended and reenacted to read as follows:

9 §2159.1. Home improvement contracting; prohibited acts; property insurance

10 The following acts are prohibited by persons or companies performing home
11 improvement contracting services:

12 * * *

13 (7)(a) Accepting an assignment of any rights, benefits, proceeds, or causes
14 of action of an insured under a property insurance policy prior to completing the
15 work described in the home improvement contract and the property insurer
16 conducting its initial examination of the damage caused by the covered peril. The
17 assignment of any rights, benefits, proceeds, or causes of action shall be limited to
18 the scope of work and fees provided in the home improvement contract, which shall
19 comply with the provisions of R.S. 37:2159.1. **Prior to any payment to a person**
20 **or company performing home improvement contracting services by the**

