
 DIGEST

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SB 96 Reengrossed

2023 Regular Session

Talbot

Present law requires insurers to pay court costs, attorney fees, or penalty fees for property damage insurance claims not paid within the time period required in present law.

Proposed law exempts the La. Insurance Guaranty Association (LIGA) and the La. Citizens Property Insurance Corporation (Citizens) from present law. Otherwise retains present law.

Proposed law exempts LIGA and Citizens from any class action lawsuits.

Present law exempts LIGA from liability for special damages awarded for a property damage insurance claim.

Proposed law adds Citizens to the present law exemption and otherwise retains present law.

Present law exempts from liability the commissioner of insurance, the governing board of Citizens or anyone acting on behalf thereof, and any service carriers, assessable insurers, participating insurance producers, and representatives of the Dept. of Insurance. Further provides exceptions from immunity if such exempted persons commit any intentional tort, criminal act, or other certain acts including but not limited to breaches of insurance contracts or agreements.

Proposed law retains present law, but adds that Citizens is not exempt from liability for any statutory obligations related to insurance coverage or a supervisory or regulatory action, examination, or audit made by the commissioner.

(Amends R.S. 22:1973(F) and 2296; Adds R.S. 22:1892(H))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the original bill

1. Makes technical changes.

Senate Floor Amendments to reengrossed bill

1. Changes from exception for liability for damages to and exclusion for the La. Guaranty Association and La. Citizens Corporation from class actions lawsuits.
2. Adds exclusion for both the La. Guaranty Association and La. Citizens Corporation from penalties.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the reengrossed bill:

1. Make technical changes.