2023 Regular Session

ACT No. 104

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

Page 1 of 2 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	property insurer pursuant to an assignment of any rights, benefits, proceeds, or
2	causes of action, the insured shall approve of the payment in writing.
3	* * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____