

2024 Regular Session

HOUSE BILL NO. 511

BY REPRESENTATIVE ILLG

INSURANCE/AUTOMOBILE: Provides relative to uninsured motorists and certain policy forms

1 AN ACT

2 To amend and reenact R.S. 22:1295(1)(a)(ii), relative to uninsured motorist coverage; to  
3 provide relative to the uninsured motorist rejection form; to require insurers to verify  
4 proper completion of the form; to require insurers' retention of a copy; to prohibit  
5 delegation of retention responsibilities; to provide for applicability; and to provide  
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:1295(1)(a)(ii) is hereby amended and reenacted to read as  
9 follows:

10 §1295. Uninsured motorist coverage

11 The following provisions shall govern the issuance of uninsured motorist  
12 coverage in this state:

13 (1)(a)

14 \* \* \*

15 (ii) Such rejection, selection of lower limits, or selection of economic-only  
16 coverage shall be made only on a form prescribed by the commissioner ~~of insurance~~.

17 The prescribed form shall be provided by the insurer and signed by the named  
18 insured or his legal representative. The form signed by the named insured or his  
19 legal representative which initially rejects such coverage, selects lower limits, or  
20 selects economic-only coverage shall be conclusively presumed to become a part of

1 the policy or contract when issued and delivered, irrespective of whether physically  
 2 attached thereto. A properly completed and signed form creates a rebuttable  
 3 presumption that the insured knowingly rejected coverage, selected a lower limit, or  
 4 selected economic-only coverage. An insurer may require the producer of record to  
 5 obtain a completed selection form and deliver the form to the insurer; however, the  
 6 insurer shall verify that the form is properly completed, retain a copy of the form as  
 7 part of the policy, and shall not delegate this obligation to retain a properly  
 8 completed form to the producer of record. The form signed by the insured or his  
 9 legal representative which initially rejects coverage, selects lower limits, or selects  
 10 economic-only coverage shall remain valid for the life of the policy and shall not  
 11 require the completion of a new selection form when a renewal, reinstatement,  
 12 substitute, or amended policy is issued to the same named insured by the same  
 13 insurer or any of its affiliates. An insured may change the original uninsured  
 14 motorist selection or rejection on a policy at any time during the life of the policy by  
 15 submitting a new uninsured motorist selection form to the insurer on the form  
 16 prescribed by the commissioner of insurance. Any changes to an existing policy,  
 17 regardless of whether these changes create new coverage, except changes in the  
 18 limits of liability, do not create a new policy and do not require the completion of  
 19 new uninsured motorist selection forms. For the purpose of this Section, a new  
 20 policy ~~shall mean~~ means an original contract of insurance which an insured enters  
 21 into through the completion of an application on the form required by the insurer.

\* \* \*

22  
 23 Section 2. The provisions of this Act shall apply to new policies written on or after  
 24 April 1, 2025.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 511 Reengrossed

2024 Regular Session

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**Abstract:** Requires proper completion and retention of the uninsured motorist form for rejection of coverage.

Proposed law requires insurers to verify proper completion of the uninsured motorist form for rejection of coverage provided for in present law. Authorizes insurers to require producers of record to obtain and deliver the forms to insurers; however, proposed law requires insurers to retain a copy and prohibits insurers from delegating retention responsibilities to producers of record.

(Amends R.S. 22:1295(1)(a)(ii))

Summary of Amendments Adopted by House

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

1. Authorize insurers to require the producer of record to obtain the uninsured motorist form signed by the named insured.

The House Floor Amendments to the engrossed bill:

1. Apply proposed law to new policies written on or after April 1, 2025.
2. Make technical changes.