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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Beth O'Quin.

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DIGEST

SB 499 Reengrossed

2024 Regular Session

Reese

Present law requires an insurer to automatically provide uninsured motorist liability coverage unless the insured rejects the coverage.

Proposed law retains present law but excepts commercial automobile insurance from the uninsured motorist requirement.

Present law requires the commissioner to create a form for uninsured motorist coverage. Present law provides that if the insured or his legal representative does not reject or select uninsured motorist coverage, the named insured is automatically covered for uninsured motorist coverage. Present law removes uninsured motorist requirements when the named insured selects lower limits in connection with a policy previously issued to him.

Proposed law provides that if the form is not properly completed and signed to create a rebuttable presumption that the insured knowingly rejected coverage, there shall be no coverage or modified coverage, in applicable, if it is determined that the insured intended to reject or modify the uninsured coverage.

Present law provides uninsured motorist physical damage coverage.

Proposed law retains present law.

Present law provides an automobile liability policy written to provide coverage for a school bus may limit the scope of uninsured motorist coverage.

Proposed law retains present law.

Present law requires insurers to offer uninsured motorist coverage and authorizes the insurer to offer an optional arbitration provision. Present law provides the courts cannot be deprived of their jurisdiction pursuant to present law.

Proposed law retains present law but makes technical changes.

Present law provides a rental company may be exempt from the requirement that they must offer uninsured motorist coverage which is required to be offered under present law.

Proposed law retains present law.

Effective August 1, 2024.

(Amends R.S. 22:1295(intro para), 1295(1)(a) and (e), (4), and (5) and 1296(B)(intro para); adds R.S. 22:1295(7))

Summary of Amendments Adopted by Senate

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

1. Make technical changes.
2. Change the uninsured motorist requirement from shall to if elected.
3. Remove uninsured motorist requirements when the named insured selects lower limits in connection with a policy previously issued to him.

Senate Floor Amendments to engrossed bill

1. Make technical changes.
2. Change proposed law uninsured motorist requirements from if elected to a rebuttable presumption of declining coverage for personal automobile insurance.
3. Excepts commercial automobile insurance policies from the uninsured motorist requirements.
4. Restores present law regarding uninsured motorist coverage.