

2025 Regular Session

HOUSE BILL NO. 287

BY REPRESENTATIVE BACALA

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

INSURANCE: Authorizes certain out-of-state insurance companies to apply respective state laws to claims of Louisiana residents

1 AN ACT

2 To enact Civil Code Article 3547.1, relative to application of foreign law; to authorize the
3 application of certain foreign law to apply in actions arising out of automobile
4 accidents; to provide disclosure requirements; to provide an effective date; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Civil Code Article 3547.1 is hereby enacted to read as follows:

8 Art. 3547.1. Application of foreign law

9 A. Notwithstanding any provision of law to the contrary, an issue of delictual
10 or quasi-delictual obligations arising out of an automobile accident is governed by
11 the laws of the insurer's domicile when the action involves a resident who is
12 domiciled in this state and is insured by a foreign insurer domiciled in Arkansas,
13 Mississippi, or Texas, except to the extent it conflicts with Articles 3493.1 and
14 3493.2.

15 B. An insurer or insurance agent or broker in this state is authorized to sell
16 or offer policies from foreign insurers to an insured or prospective insured.

17 C. The insurer or insurance agent or broker shall provide a written disclosure
18 to the insured or prospective insured including all of the following information:

19 (1) The premium is issued by a foreign insurer.

20 (2) Foreign law would apply in the insured or prospective insured's cause of
21 action.

1 (3) The insurance policy sold meets all regulations of their respective states.

2 Section 2. In furtherance of the provisions of this Act, the Louisiana State Law
3 Institute is hereby directed to compile applicable laws from Arkansas, Mississippi, and
4 Texas and publish the laws on their website by the effective date of this Act.

5 Section 3. This Act shall take effect and become operative on July 1, 2026, if the
6 base rate for liability coverage of the top twenty private passenger automobile insurers by
7 premium written have not decreased by at least seven percent between January 1, 2024, to
8 December 31, 2025.

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)]

HB 287 Original

2025 Regular Session

Bacala

Abstract: Requires application of Arkansas, Mississippi, and Texas state laws in actions arising out of an automobile accident involving a La. resident who has a policy from an insurer domiciled in those states.

Proposed law requires Arkansas, Mississippi, and Texas substantive and procedural laws to apply to actions arising from an automobile accident when an insured has a policy from an insurer domiciled in those states. However, the two-year prescriptive period for delictual actions will apply in these cases pursuant to present law (C.C. Arts. 3493.1 and 3493.2).

Proposed law permits an insurer or insurance agent or broker in La. to sell or offer policies from foreign insurers to an insured or prospective insured.

Proposed law requires an insurer or insurance agent or broker in La. to provide a written disclosure to the insured or prospective insured that includes all of the following information:

- (1) The premium is issued by a foreign insurer.
- (2) Foreign law would apply in the insured or prospective insured's cause of action.
- (3) The insurance policy sold meets all regulations of their respective states.

Proposed law directs the La. State Law Institute to compile Arkansas, Mississippi, and Texas state law to publish on its website by July 1, 2026.

Proposed law becomes effective only if it is determined that the base rate for liability coverage of the top twenty private passenger automobile insurers by premium written have not decreased by at least seven percent from Jan. 1, 2024, to Dec. 31, 2025.

Effective July 1, 2026.

(Adds C.C. Art. 3547.1)