

2025 Regular Session

HOUSE BILL NO. 345

BY REPRESENTATIVES WYBLE, BAMBURG, CARLSON, AND MELERINE

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

INSURANCE/PROPERTY: Provides for notices relative to residential property insurance

## 1 AN ACT

2 To amend and reenact R.S. 22:41(9), 887(A)(introductory paragraph) and (1)(a) and (G)(1),  
3 1266(A)(5), (D)(1), and (E)(1)(introductory paragraph), 1267(C)(2)(a) and (E)(1),  
4 and 1335(A), relative to property and casualty insurance; to provide for the  
5 nonrenewal or cancellation of residential property insurance policies; to provide  
6 relative to required written notices; to provide for technical changes; to provide for  
7 an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 22:41(9), 887(A)(introductory paragraph) and (1)(a) and (G)(1),  
10 1266(A)(5), (D)(1), and (E)(1)(introductory paragraph), 1267(C)(2)(a) and (E)(1), and  
11 1335(A) are hereby amended and reenacted to read as follows:

## 12 §41. Policyholder bill of rights

13 The following items exist in Louisiana statutes and ~~shall~~ serve as standards  
14 for a policyholder bill of rights and do not create additional causes of actions or  
15 further penalties not otherwise provided under Louisiana statutes:

16 \* \* \*

17 (9) Policyholders shall have the right to receive written notice of cancellation  
18 or nonrenewal at least ~~thirty~~ sixty days prior to the effective date of the cancellation  
19 or nonrenewal, unless the cancellation or nonrenewal is for ~~non-payment~~



1 of insurance for a period of less than six months shall be issued by an insurer to any  
2 person who has been issued two or more citations for violations of R.S. 32:851 et  
3 seq. or R.S. 32:861 et seq., and any policy issued to a person receiving two or more  
4 citations shall be considered as if written for a policy period or term of six months.

5 Any policy which is written for a term longer than one year or any policy which is  
6 renewed by an insurer shall be for the same term as the original or expired policy,  
7 or any policy with no fixed expiration date shall for the purpose of this Subpart be  
8 considered as if written for successive policy periods or terms of one year. Such a  
9 policy may be terminated at the expiration of any annual period upon giving ~~twenty~~  
10 ~~days~~ sixty days' notice of cancellation prior to such anniversary date. This  
11 cancellation ~~shall not be~~ is not subject to any other provisions of this Subpart.

12 \* \* \*

13 D.(1) No notice of cancellation of a policy to which Subsection B or C of this  
14 Section applies shall be effective unless mailed by certified mail or delivered by the  
15 insurer to the named insured at least ~~thirty~~ sixty days prior to the effective date of  
16 cancellation; however, when cancellation is for nonpayment of premium<sub>2</sub>, at least ten  
17 ~~days~~ days' notice of cancellation accompanied by the reason shall be given. In the  
18 event of nonpayment of premiums for a binder, a ten-day notice of cancellation shall  
19 be required before the cancellation shall be effective. Notice of cancellation for  
20 nonpayment of premiums ~~shall not be~~ is not required to be sent by certified mail.  
21 Unless the reason accompanies the notice of cancellation, the notice of cancellation  
22 shall state or be accompanied by a statement that upon written request of the named  
23 insured, mailed or delivered to the insurer within six months after the effective date  
24 of cancellation, the insurer will specify the reason for such cancellation. This  
25 Subsection ~~shall~~ does not apply to nonrenewal.

26 \* \* \*

27 E.(1) No insurer shall fail to renew a policy unless it ~~shall mail or deliver~~  
28 mails or delivers to the named insured, at the address shown in the policy, at least

1       ~~twenty days~~ sixty days' advance notice of its intention not to renew. This Subsection  
2       ~~shall~~ does not apply in any of the following circumstances:

3                               \*           \*           \*

4       §1267. Commercial insurance; cancellation and renewal

5                               \*           \*           \*

6               C.

7                               \*           \*           \*

8               (2)(a) A notice of cancellation of insurance coverage by an insurer shall be  
9       in writing and shall be mailed or delivered to the first-named insured at the mailing  
10      address as shown on the policy. Notices of cancellation based on R.S.  
11      22:1267(C)(1)(b) through (g) shall be mailed or delivered at least ~~thirty~~ sixty days  
12      prior to the effective date of the cancellation; ~~notices~~ Notices of cancellations based  
13      upon R.S. 22:1267(C)(1)(a) shall be mailed or delivered at least ten days prior to the  
14      effective date of cancellation. The notice shall state the effective date of the  
15      cancellation.

16                              \*           \*           \*

17              E.(1) An insurer shall mail or deliver to the named insured at the mailing  
18      address shown on the policy written notice of any rate increase, change in deductible,  
19      or reduction in limits or coverage at least ~~thirty~~ sixty days prior to the expiration date  
20      of the policy. If the insurer fails to provide such ~~thirty-day~~ notice, the coverage  
21      provided to the named insured at the expiring policy's rate, terms, and conditions  
22      shall remain in effect until notice is given or until the effective date of replacement  
23      coverage obtained by the named insured, whichever first occurs. For the purposes  
24      of this Subsection, notice is considered given ~~thirty~~ sixty days following date of  
25      mailing or delivery of the notice. If the insured elects not to renew, any earned  
26      premium for the period of extension of the terminated policy shall be calculated pro  
27      rata at the lower of the current or previous year's rate. If the insured accepts the  
28      renewal, the premium increase, if any, and other changes shall be effective the day  
29      following the prior policy's expiration or anniversary date.

30                              \*           \*           \*

§1335. Homeowners' insurance; cancellation; nonrenewal; limited grace period for surviving spouse

A. An insurer that has issued a policy of homeowner's insurance shall not fail to renew the policy unless it has mailed or delivered to the named insured, at the address shown in the policy, written notice of its intention not to renew. The notice of nonrenewal shall be mailed or delivered at least ~~thirty~~ sixty days before the expiration date of the policy. If the notice is mailed less than ~~thirty~~ sixty days before expiration, coverage shall remain in effect under the terms and conditions until ~~thirty~~ sixty days after the notice is mailed or delivered. The insurer shall include in the notice the cause for which the insurer is failing to renew the policy. Any earned premium for the period of coverage extended beyond the expiration date shall be considered pro rata based upon the rate of the previous year.

\* \* \*

Section 2. This Act shall become effective on January 1, 2026.

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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 345 Engrossed

2025 Regular Session

Wyble

**Abstract:** Modifies the timeframe for insurers to send prior notice of cancellation or nonrenewal of residential property insurance policies.

Present law (R.S. 22:41) provides policyholder bill of rights. Provides that policyholders have the right to receive written notice of cancellation or nonrenewal of a policy at least 30 days prior to the effective date of the cancellation or nonrenewal, unless the cancellation or nonrenewal is due to nonpayment of premium. Provides further protections for policyholders.

Proposed law changes the timeframe for an insurer to provide written notice from 30 days to 60 days prior to the cancellation or nonrenewal. Otherwise retains present law.

Present law (R.S. 22:887(A)(1)(a)) requires an insurer to send written notice of cancellation of a policy for which the insurer is authorized to cancel according to the contract. Requires the insurer to deliver or mail the notice of cancellation at least 30 days prior to the effective date of cancellation, except when termination of coverage is for nonpayment of premium.

Proposed law changes the timeframe for the insurer to deliver the notice from 30 days to 60 days prior to the effective date of the cancellation and further requires the insurer to include the cause for which the insurer is not renewing the policy. Otherwise retains present law.

Present law (R.S. 22:887(G)(1)) prohibits an insurer from failing to renew a policy unless the insurer mails or delivers a notice of intention to nonrenew to the named insured at least 30 days prior to the effective date of nonrenewal.

Proposed law changes the timeframe for the insurer to deliver the notice from 30 days to 60 days prior to the effective date of nonrenewal and further requires the insurer to include the cause for which the insurer is not renewing the policy. Otherwise retains present law.

Present law (R.S. 22:1266(A)(5)) defines "renewal" and authorizes an insurer to terminate a renewal policy by giving 20 days' notice of cancellation.

Proposed law changes the timeframe for the insurer to deliver the notice from 20 days to 60 days prior to the effective date of cancellation. Otherwise retains present law.

Present law (R.S. 22:1266(D)(1)) provides that a notice to cancel a policy is not effective unless the insurer sends the notice of cancellation by certified mail or delivers the notice to the insured at least 30 days prior to the effective date of cancellation.

Proposed law changes the timeframe for the insurer to deliver the notice from 30 days to 60 days prior to the effective date of policy cancellation. Otherwise retains present law.

Present law (R.S. 22:1266(E)(1)) prohibits an insurer from failing to renew a policy unless the insurer mails or delivers a notice of intention to nonrenew to the named insured at least 20 days prior to the effective date of nonrenewal.

Proposed law changes the timeframe for the insurer to deliver the notice from 20 days to 60 days prior to the effective date of intention to nonrenew. Otherwise retains present law.

Present law (R.S. 22:1267(C)(2)(a)) requires an insurer to deliver or mail a notice of cancellation to the first-named insured at least 30 days prior to the effective date of the cancellation.

Proposed law changes the timeframe for the insurer to deliver the notice from 30 days to 60 days prior to the effective date of the cancellation. Otherwise retains present law.

Present law (R.S. 22:1267(E)(1)) requires an insurer to mail or deliver to the named insured a notice of any rate increase, change in deductible, or reduction in limits or coverage at least 30 days prior to the expiration date of the policy. Provides that an insurer's failure to provide the 30-day notice causes the policy to remain in effect until the insurer provides notice or the insured finds replacement coverage.

Proposed law changes the timeframe for the insurer to deliver the notice from 30 days to 60 days prior to expiration of the policy. Otherwise retains present law.

Present law (R.S. 22:1335(A)) prohibits an insurer that has issued a policy of homeowner's insurance from failing to renew the policy unless the insurer has mailed or delivered written notice of intent to nonrenew to the named insured at least 30 days before the expiration date of the policy. Requires the coverage to remain in effect if the insurer mails the notice less than 30 days before the policy expires.

Proposed law changes the timeframe for which the insurer is required to mail the written notice of nonrenewal from 30 days to 60 days and further requires the insurer to include the cause for which the insurer is not renewing the policy. Otherwise retains present law.

Effective Jan. 1, 2026.

(Amends R.S. 22:41(9), 887(A)(intro. para.) and (1)(a) and (G)(1), 1266(A)(5), (D)(1), and (E)(1)(introductory paragraph), 1267(C)(2)(a) and (E)(1), and 1335(A))

Summary of Amendments Adopted by House

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

1. Change present law prior notice requirements from either 20 or 30 days to 60 days. Require insurers to notify insureds of impending cancellation or nonrenewal of residential property insurance policies at least 60 days prior to policy cancellation or nonrenewal.
2. Make technical changes.