

Regular Session, 2010

HOUSE BILL NO. 463

BY REPRESENTATIVE KLECKLEY

INSURANCE/POLICIES: Provides for technical recodification of certain provisions of the La. Insurance Code relative to general insurance policy requirements

1 AN ACT

2 To amend and reenact R.S. 22:851(A), 852(B), 853(B), 854(A), 855(A)(1), (B)(1) and (2)(a)
3 and (b), (C), (D)(2), (G), and (H), 856(introductory paragraph), 857, 860(A) and
4 (B)(introductory paragraph), 861(B) and (F), 862(2) and (5), 863(A), 864(B)(4), (5),
5 and (8), and (C), 865(A)(introductory paragraph) and (1), 866, 867,
6 868(A)(introductory paragraph) and (1) and (B), 871, 875 through 878,
7 879(introductory paragraph) and (2) and (3), 880, 882(1) through (5), 883(C)(5)(c)
8 and (d), 884, 885(A), (C), and (D), 886, 887(A)(introductory paragraph) and (1)(b)
9 and (2), (B), (D)(1), (E), (G)(2), and (H), and 888(B)(1) and (2), (C), (D), and (E),
10 relative to technical recodification of certain provisions of the Louisiana Insurance
11 Code relative to general insurance policy requirements, including correction of
12 citations, updates of terms and language, reorganization of provisions, elimination
13 of obsolete or ineffective provisions, and harmonizing of inconsistent provisions; and
14 to provide for related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 22:851(A), 852(B), 853(B), 854(A), 855(A)(1), (B)(1) and (2)(a) and
17 (b), (C), (D)(2), (G), and (H), 856(introductory paragraph), 857, 860(A) and (B)(introductory
18 paragraph), 861(B) and (F), 862(2) and (5), 863(A), 864(B)(4), (5), and (8), and (C),
19 865(A)(introductory paragraph) and (1), 866, 867, 868(A)(introductory paragraph) and (1)
20 and (B), 871, 875 through 878, 879(introductory paragraph) and (2) and (3), 880, 882(1)

1 through (5), 883(C)(5)(c) and (d), 884, 885(A), (C), and (D), 886, 887(A)(introductory
2 paragraph) and (1)(b) and (2), (B), (D)(1), (E), (G)(2), and (H), and 888(B)(1) and (2), (C),
3 (D), and (E) are hereby amended and reenacted to read as follows:

4 §851. Scope of Part

5 A. The applicable provisions of this Part shall apply to insurance other than
6 ocean marine and foreign trade insurances. This Part shall not apply to life insurance
7 policies or annuities not issued for delivery in this state nor delivered in this state.
8 This Part also shall not apply to any health and accident insurance policy not issued
9 for delivery in this state nor delivered in this state, except for any group policy
10 covering residents of Louisiana, regardless of ~~from~~ where it was issued or delivered.

11 * * *

12 §852. Power to contract

13 * * *

14 B. A minor not less than fifteen years of age as at nearest birthday may,
15 notwithstanding such minority, contract for life or health and accident insurance for
16 his own benefit or for the benefit of his father, mother, spouse, child, brother, sister,
17 or grandparent, or any person with an insurable interest and may exercise all rights
18 and powers with respect to or under the contract as though of full legal age, and may
19 surrender his interest therein and give a valid discharge for any benefit accruing or
20 money payable thereunder. The minor shall not, by reason of his minority, be
21 entitled to rescind, ~~avoid~~, void, or repudiate the contract, or any exercise of a right
22 or privilege thereunder; except, that such minor, not otherwise emancipated, shall not
23 be bound by any unperformed agreement to pay, by promissory note or otherwise,
24 any premium on any such insurance contract.

25 §853. Insurable interest required; property insurances

26 * * *

27 B. "Insurable interest" as used in this ~~Section~~ Chapter means any lawful and
28 substantial economic interest in the safety or preservation of the subject of the
29 insurance free from loss, destruction, or pecuniary damage.

1 §854. Interest of the insured

2 A. When the name of a person intended to be insured is specified in the
3 policy, such insurance can be applied only to his own proper interest. This Section
4 shall not apply to life, annuity, ~~and or~~ health and accident ~~insurances~~; insurance.

5 * * *

6 §855. Quoted premium shall include all charges; dollar amount required

7 A. The premium quoted by the insurer shall be a specific dollar amount
8 which shall be inclusive of all fees, charges, premiums, or other consideration
9 charged for the insurance or for the procurement thereof, except that:

10 (1) In any subsequent modification of the policy, the insurer may require that
11 evidence of insurability be furnished at the insured's expense;

12 * * *

13 B.(1) No insurer or its officer, employee, ~~agent, broker, solicitor,~~ producer
14 or other representative shall charge or receive any fee, compensation, or
15 consideration for insurance which is not included in the premium quoted to the
16 insured and the premium specified in the policy delivered to the insured, except for
17 the premium tax on a surplus lines policy which shall be separately stated, and
18 except for reimbursement for expenses due the ~~agent,~~ producer, and except for an
19 agency fee, if any, as authorized hereunder.

20 (2)(a) The ~~agent~~ producer may receive reimbursement from the insured for
21 expenses incurred by the ~~agent~~ producer directly related to the insurance coverage
22 for the insured. In addition, the ~~agent~~ producer may charge a reasonable agency fee
23 related to the services provided by the ~~agent,~~ producer. Any reimbursement or
24 agency fee shall be itemized separately on an invoice statement. A single invoice
25 may be used to make known all charges. Each such charge must be prominently
26 disclosed and itemized separately on the invoice.

27 (b) The reimbursement for expense and agency fees shall not be considered
28 premium for any purpose, nor shall they be subject to premium taxes or surplus lines
29 premium taxes. Agency fees for criminal bail bond, ~~or~~ homeowners insurance, or

1 personal automobile insurance that are standard risks insurable at standard rates shall
2 not exceed twenty-five dollars.

3 * * *

4 C. Each policy delivered to the insured shall have the full and accurate dollar
5 amount of the premium disclosed on the policy, which shall be inclusive of all fees,
6 charges, premiums, or other consideration charged for the insurance or for the
7 procurement thereof, except that, in any subsequent modification of the policy, the
8 insurer may require that evidence of insurability be furnished at the insured's
9 expense, and except that the premium tax on a surplus lines policy shall be separately
10 stated, and except for reimbursement of expenses and agency fees as authorized in
11 Paragraph (B)(2): of this Section.

12 D.

13 * * *

14 (2) In this Subsection, a person who procures the preparation of any
15 document specified in Paragraph (1) of this Subsection includes a person who
16 knowingly permits the preparation of such a document to be done or participated in
17 by a subordinate or employee, whether or not that person directly ordered or caused
18 the subordinate or employee to prepare the document. It shall not include a person
19 furnishing typing, reproducing, or providing other clerical or mechanical assistance
20 with respect to a document.

21 * * *

22 G. The commissioner may assess one or more of the following penalties
23 against any person who violates the provisions of this Section:

24 (1) A fine in an amount not greater than five thousand dollars;

25 (2) A suspension of an insurer's certificate of authority or ~~an agent's,~~
26 ~~broker's, or solicitor's~~ a producer's license; ~~or.~~

27 (3) A revocation of an insurer's certificate of authority or ~~an agent's, broker's,~~
28 ~~or solicitor's~~ a producer's license.

1 H. The provisions of this Section shall apply to all policies except life;
2 ~~accident, health, annuity, health and accident,~~ and reinsurance policies.

3 §856. Application for insurance required

4 No life, annuity, or health and accident insurance contract upon an individual,
5 except a contract of group life insurance or of group or blanket health and accident
6 insurance as defined in this Code, shall be made or effectuated unless at the time of
7 the making of the contract the individual insured, being of competent legal capacity
8 to contract, in writing applies therefor or consents thereto, except in the following
9 cases:

10 * * *

11 §857. Application as evidence; life, annuity, or health and accident insurance

12 A. No application for life, annuity, or health and accident insurance shall be
13 admissible in evidence in any action relative to the policy or contract, unless a
14 correct copy of the application was attached to or otherwise made a part of the
15 policy, or contract, when issued and delivered. This provision shall not apply to
16 policies or contracts of industrial insurance subject to R.S. 22:149(2) and 975(A)(1).

17 B. If any policy of life, annuity, or health and accident insurance delivered
18 in this state is reinstated or renewed, and the insured or the beneficiary or assignee
19 of the policy makes written request to the insurer for a copy of the application, if any,
20 for such reinstatement or renewal, the insurer shall, within fifteen days after receipt
21 of such request at its home office or at any of its branch offices, deliver or mail to the
22 person making such request, a copy of such application. If such copy is not so
23 delivered or mailed, the insurer shall be precluded from introducing the application
24 as evidence in any action or proceeding based upon or involving the reinstatement
25 or renewal of the policy.

26 * * *

27 §860. Warranties and misrepresentations in negotiation; applications

28 A. Except as provided in Subsection B of this Section, ~~and R.S. 22:1314, and~~
29 ~~R.S. 22:1315,~~ no oral or written misrepresentation or warranty made in the

1 negotiation of an insurance contract, by the insured or in his behalf, shall be deemed
2 material or defeat or void the contract or prevent it attaching, unless the
3 misrepresentation or warranty is made with the intent to deceive.

4 B. In any application for life, annuity, or health and accident insurance made
5 in writing by the insured, all statements therein made by the insured shall, in the
6 absence of fraud, be deemed representations and not warranties. The falsity of any
7 such statement shall not bar the right to recovery under the contract unless either one
8 of the following is true as to the applicant's statement:

9 * * *

10 §861. Approval of forms

11 * * *

12 B. Every such filing shall be made not less than forty-five days in advance
13 of any such issuance, delivery, or use. At the expiration of forty-five days, the form
14 so filed shall be deemed approved unless prior thereto it has been affirmatively
15 approved or disapproved by order of the commissioner of insurance. The
16 commissioner of insurance may extend by not more than an additional fifteen days
17 the period within which he may so affirmatively approve or disapprove any such
18 form, by giving notice of such extension before expiration of the initial ~~thirty-day~~
19 forty-five-day period. At the expiration of any such period as so extended, and in the
20 absence of such prior affirmative approval or disapproval, any such form shall be
21 deemed approved. The commissioner of insurance may withdraw any such approval
22 at any time for cause. Approval of any such form by the commissioner of insurance
23 shall constitute a waiver of any unexpired portion of such initial fifteen-day waiting
24 period.

25 * * *

26 F. Insurers negotiating with and insuring special commercial entities shall
27 be exempt from the form filing and approval requirements of this Section. The
28 commissioner shall adopt rules and regulations necessary for the implementation of
29 this Subsection including a provision defining special commercial entities which

1 qualify for exemption. The definition of exempt commercial policyholder shall be
2 reviewed periodically by the commissioner. This Subsection shall apply only to
3 commercial property and casualty insurance. The regulations required by this
4 Subsection shall be ~~adopted no later than April 1, 2000.~~ issued by the commissioner.

5 §862. Grounds for disapproval

6 The commissioner of insurance shall disapprove any such form of policy,
7 application, rider, or endorsement, or withdraw any previous approval thereof, only:

8 * * *

9 (2) If it does not comply with any controlling filing ~~theretofore~~ previously
10 made and approved.

11 * * *

12 (5) If purchase of insurance ~~thereunder~~ is being solicited by deceptive
13 advertising.

14 * * *

15 §863. Standard provisions

16 A. Insurance contracts shall contain such standard provisions as are required
17 by the applicable chapters of this Code pertaining to contracts of particular kinds of
18 insurance. The commissioner of insurance may waive the required use of a
19 particular standard provision other than the provisions required in Subpart C of Part
20 IV of Chapter 4 of this Title in a particular insurance contract form if: both of the
21 following apply:

22 (1) ~~He~~ The commissioner finds such provision unnecessary for the protection
23 of the insured; and inconsistent with the purposes of the contract; ~~and~~.

24 (2) The contract is otherwise approved by ~~him~~; the commissioner.

25 * * *

26 §864. Content of policies in general

27 * * *

28 B. A policy shall specify and conform to the following:

29 * * *

1 (4) The time at which the insurance ~~thereunder~~ takes effect and the period
2 during which the insurance is to continue.

3 (5) A statement of the premium, other than as to surety bonds, and if other
4 than life, annuity, accident or health, or title insurance, the premium rate.

5 * * *

6 (8) Every printed portion of the text ~~matter~~ of the policy and of any
7 endorsements or attached papers is printed in type the size of which shall be uniform
8 and the face of which shall not be ~~not~~ less than ten-point type. The text ~~matter~~ shall
9 include all printed matter except the name and address of the insurer, name or title
10 of the policy, captions, sub-captions, and form numbers.

11 * * *

12 C. If under the contract the exact amount of premiums is determinable only
13 at termination or at periodic intervals of the contract, a statement of the basis and
14 rates upon which the final premium is to be determined and paid shall be ~~furnished~~
15 provided any policy examining bureau having jurisdiction or to the insured upon
16 request.

17 * * *

18 §865. Additional contents

19 A policy may contain additional provisions, which are not inconsistent with
20 this Code, and which are; either:

21 (1) Required to be ~~so~~ inserted by the laws of the insurer's state of domicile;
22 or.

23 * * *

24 §866. Articles of incorporation; ~~by-law~~ bylaw provisions

25 No policy shall contain any provision purporting to make any portion of the
26 articles of incorporation, ~~by-laws~~, bylaws, or other constituent document of the
27 insurer a part of the contract unless such portion is set forth in full in the policy. Any
28 policy provision in violation of this Section shall be invalid.

1 §867. Must contain entire contract with exceptions

2 A. No agreement in conflict with, modifying, or extending the coverage of
3 any contract of insurance shall be valid unless it is in writing and physically made
4 a part of the policy or other written evidence of insurance, or it is incorporated in the
5 policy or other written evidence of insurance by specific reference to another policy
6 or written evidence of insurance. This Section shall not apply to contracts as
7 provided in Subpart C of Part IV of this Chapter, ~~4 of this Title~~.

8 B. The provisions of this Section shall apply where a policy or other written
9 evidence of insurance is coupled by specific reference with another policy or written
10 evidence of insurance in existence as of the effective date ~~hereof~~ or issued thereafter.

11 C. Any written agreement in conflict with, modifying, or extending the
12 coverage of any contract of insurance shall be deemed to be physically made a part
13 of a policy or other written evidence of insurance, within the meaning of this ~~section~~
14 Section, whenever such written agreement makes reference to such policy or
15 evidence of insurance and is sent to the holder of such policy or evidence of
16 insurance by United States mail, postage prepaid, at such holder's last known address
17 as shown on such policy or evidence of insurance or is personally delivered to such
18 holder.

19 §868. Limiting actions; jurisdiction

20 A. No insurance contract delivered or issued for delivery in this state and
21 covering subjects located, resident, or to be performed in this state, or any group
22 health and accident policy insuring a resident of this state regardless of where made
23 or delivered, shall contain any condition, stipulation, or agreement: either:

24 (1) Requiring it to be construed according to the laws of any other state or
25 country except as necessary to meet the requirements of the motor vehicle financial
26 responsibility laws of such other state or country; ~~or~~.

27 * * *

28 B. No insurance contract delivered or issued for delivery in this state and
29 covering subjects located, resident, or to be performed in this state, or any health and

1 accident policy insuring a resident of this state regardless of where made or
 2 delivered, shall contain any condition, stipulation, or agreement limiting right of
 3 action against the insurer to a period of less than twenty-four months next after the
 4 inception of the loss when the claim is a first-party claim, as defined in R.S. 22:1692,
 5 and arises under any insurance classified and defined in R.S. 22:47(6), ~~(7)~~, (10), (11),
 6 (12), (13), ~~and (15), and (19)~~ or to a period of less than one year from the time when
 7 the cause of action accrues in connection with all other insurances unless otherwise
 8 specifically provided in this Code.

9 * * *

10 §871. Signature of agent producer

11 Every duly licensed ~~insurance agent~~ agent producer who solicits information to be
 12 contained on any application for individual life or individual, family group, or
 13 association health and accident insurance shall affix his legal signature thereto. No
 14 such agent producer shall sign any application described above unless he personally
 15 obtained the information shown on such application. Such information may be
 16 obtained by the agent producer in person, by telephone, or by any other means of
 17 direct communication between the agent producer and the applicant.

18 * * *

19 §875. Intervening breach

20 If any breach of a warranty or condition in any insurance contract occurs
 21 prior to a loss under the contract, such breach shall not ~~avoid~~ void the contract nor
 22 ~~avail~~ allow the insurer to avoid liability, unless the breach is material and exists at
 23 the time of the loss.

24 §876. Assignment of policies

25 Subject to the terms of the policy relating to its assignment, life insurance
 26 policies, other than group life insurance policies, annuity, and health and accident
 27 policies providing benefits for accidental death, ~~whether such policies were~~
 28 ~~heretofore or hereafter issued~~, and under the terms of which the beneficiary may be
 29 changed upon the sole request of the insured, may be assigned either by pledge or

1 transfer of title, by an assignment executed by the insured alone and delivered to the
2 insurer, whether or not the pledgee or assignee is the insurer. This Section shall not
3 prohibit the assignment by the insured of any certificate of insurance issued under
4 a group life insurance policy. Any such assignment shall entitle the insurer to deal
5 with the assignee as the owner or pledgee of the policy in accordance with the terms
6 of the assignment, until the insurer has received at its home office written notice of
7 termination of the assignment or pledge. No insurer shall prohibit the assignment
8 to a viatical settlement provider of a policy otherwise assignable.

9 §877. Payment discharges insurer

10 Whenever the proceeds of, or payments under a life endowment or health and
11 accident insurance policy or any annuity contract issued by a life insurance company;
12 ~~heretofore or hereafter issued;~~ become payable and the insurer makes payment
13 thereof in accordance with the terms of the policy or contract or in accordance with
14 any written assignment thereof or of any interest thereunder, hereafter made, the
15 person then designated in the policy or contract or by such assignment as being
16 entitled thereto, shall be entitled to receive such proceeds or payments and to give
17 full acquittance therefor, and such payment shall fully discharge the insurer from all
18 claims under the policy or contract unless, before payment is made, the insurer has
19 received at its home office, written notice by or on behalf of some other person that
20 such other person claims to be entitled to such payment or some interest in the policy
21 or contract. Nothing contained in this Section shall affect any claim or right to any
22 policy or contract or the proceeds thereof or payments thereunder as between persons
23 other than the insurer.

24 §878. Forms for proof of loss furnished

25 Any insurer requiring completion of a proof of loss form shall ~~furnish~~ provide
26 such form to any person claiming to have a loss under any insurance contract. ~~But;~~
27 however, such insurer shall not, by reason of the requirement ~~so~~ to ~~furnish~~ provide
28 forms, have any responsibility for or with reference to the completion of such proof
29 or the manner of any such completion or attempted completion.

1 §879. Claim administration not waiver

2 None of the following acts by or on behalf of an insurer shall be deemed to
3 constitute a waiver of any provision of a policy or of any defense of the insurer;
4 ~~thereunder:~~

5 * * *

6 (2) ~~Furnishing~~ Providing forms for reporting a loss or claim, for giving
7 information relative thereto, or for making proof of loss, or receiving or
8 acknowledging receipt of any such forms or proofs completed or incompletd.

9 (3) Investigating any loss or claim under any policy or engaging in
10 negotiations ~~looking toward~~ considering a possible settlement of any such loss or
11 claim.

12 §880. Validity of noncomplying forms

13 Any insurance policy, rider, or endorsement hereafter issued and otherwise
14 valid, which contains any condition or provision not in compliance with the
15 requirements of this Code, shall not be rendered invalid, ~~thereby,~~ but shall be
16 construed and applied in accordance with such conditions and provisions as would
17 have applied had such policy, rider, or endorsement been in full compliance with this
18 Code.

19 * * *

20 §882. Waiver of subrogation

21 Under any policy of insurance which authorizes the insured to waive the right
22 of recovery of the insured against any party prior to loss without additional premium,
23 the insured shall also be entitled to waive in writing after loss without invalidating
24 the policy the right of recovery against any of the following:

25 (1) Anyone insured under the same policy;~~;~~

26 (2) A corporation, partnership or other entity in which the insured owns
27 stock or has a proprietary interest;~~;~~

28 (3) Anyone who owns stock or has a proprietary interest in the insured;~~;~~

29 (4) An employee or employer of the insured;~~;~~

1 (5) Anyone having an interest as owner, lessor, or lessee of the insured
2 premises or the premises on which the loss occurred and the employees, partners,
3 and stockholders of such owner, lessor, or lessee, ~~and~~.

4 * * *

5 §883. Stop-loss insurance coverage

6 * * *

7 C. A stop-loss or excess insurance policy form intended for issue to cover
8 losses of a group health plan, as defined in R.S. 22:1061(1), shall be submitted to the
9 Department of Insurance for prior approval pursuant to the policy form filing
10 requirements established by R.S. 22:861 and shall satisfy the following conditions:

11 * * *

12 (5)

13 * * *

14 (c) All applications for stop-loss or excess insurance that include the option
15 to purchase a policy providing coverage restricted to claims both incurred and paid
16 during the contract term must contain a form for acceptance or rejection of the offer
17 mandated in Subparagraph ~~(5)(b)~~ of this Paragraph and must include disclosures as
18 prescribed by the commissioner.

19 (d) All applications for stop-loss or excess insurance including options to
20 purchase a policy providing coverage for claims incurred prior to the contract term,
21 or providing coverage for claims incurred prior to the contract term but paid during
22 the contract term, must contain a form for acceptance or rejection of the offer
23 mandated in Subparagraph ~~(5)(b)~~ of this Paragraph and must include disclosures as
24 prescribed by the commissioner.

25 * * *

26 §884. Incontestability after reinstatement

27 The reinstatement of any policy of life or noncancellable disability insurance
28 or contract of annuity delivered or issued for delivery in this state after 12:00 noon
29 of October 1, 1948, shall be incontestable after the same period following

1 reinstatement and with the same conditions and exceptions, as provided in the policy
2 or contract with respect to the incontestability, ~~thereof~~.

3 §885. Cancellation by the insured; surrender

4 A. Cancellation by the insured of any policy which by its terms ~~is~~
5 ~~cancellable~~ may be cancelled at the insured's option or of any binder based on such
6 policy may be effected by written notice thereof to the insurer and surrender of the
7 policy or binder for cancellation prior to or on the effective date of such cancellation.
8 In the event the policy or binder has been lost or destroyed and cannot be ~~so~~
9 surrendered, the insurer may in lieu of such surrender accept and in good faith rely
10 upon the insured's written statement setting forth the fact of such loss or destruction.

11 * * *

12 C. The surrender of a policy to the insurer for any cause by any person
13 named therein as having an interest insured ~~thereunder~~ under the policy shall create
14 a presumption that such surrender is ~~concurred in~~ agreed to by all persons so named.

15 D. This Section shall not apply to life insurance policies or to annuity
16 contracts, nor to the contracts provided in Subpart C of Part IV of this Chapter, ~~4~~ of
17 ~~this Title~~.

18 §886. Cancellation by the commissioner of insurance

19 The commissioner of insurance may order the immediate cancellation of any
20 policy the procuring or effectuation of which was accomplished through or
21 accompanied by a violation of this Code, except in cases where the policy by its
22 terms ~~is not cancellable~~ cannot be cancelled by the insurer and the insured did not
23 knowingly participate in any such violation.

24 §887. Cancellation by insurer; changes to homeowner's insurance policies

25 A. Cancellation by the insurer of any policy which by its terms ~~is cancellable~~
26 may be cancelled at the option of the insurer, or of any binder based on such policy,
27 may be effected as to any interest only upon compliance with either of the following:

- 28 (1)

29 * * *

1 provision for cancellation prior to the date to which premiums have been paid, nor
2 to the contracts provided in Subpart C of Part IV of this Chapter, ~~4 of this Title.~~

3 * * *

4 G.

5 * * *

6 (2) Like notice shall also be delivered or mailed to each mortgagee, pledgee,
7 or other known person shown by the policy to have an interest in any loss which may
8 occur, ~~thereunder~~. For purposes of this Paragraph, "delivered" includes electronic
9 transmittal, facsimile, or personal delivery.

10 * * *

11 H. Notice of cancellation or nonrenewal given by the insurer in accordance
12 with this Chapter shall be deemed sufficient. The ~~insurance~~ producer, ~~insurance~~
13 ~~agent, or insurance broker~~ shall not be required to give any separate or additional
14 notice of cancellation or nonrenewal.

15 §888. Cancellation by insurer; failure to maintain membership in required
16 organization

17 * * *

18 B. Cancellation under this Section by the insurer of any policy or of any
19 binder based on such policy, may be effected as to any interest only upon compliance
20 with either or both of the following:

21 (1)(a) Written notice of such cancellation must be actually delivered or
22 mailed to the insured or to his representative in charge of the subject of the insurance
23 not less than twenty days prior to the effective ~~day~~ date of the cancellation.

24 (b) Upon the written request of the named insured, the insurer shall provide
25 to the insured in writing the reasons for cancellation of the policy. There shall be no
26 liability ~~on the part of~~ and no cause of action ~~of any nature shall arise~~ against any
27 insurer or its ~~agents, producers,~~ employees, or representatives for any action taken
28 by them to provide the reasons for cancellation as required by this Subparagraph.

changes include correction of citations, updates of terms and language, reorganization of provisions, elimination of obsolete or ineffective provisions, such as transition provisions and past effective dates, and harmonizing of inconsistent provisions.

Proposed law further directs the La. State Law Institute to redesignate R.S. 22:881.1 as R.S. 22:890.

Effective Jan. 1, 2011.

(Amends R.S. 22:851(A), 852(B), 853(B), 854(A), 855(A)(1), (B)(1) and (2)(a) and (b), (C), (D)(2), (G), and (H), 856(intro. para.), 857, 860(A) and (B)(intro. para.), 861(B) and (F), 862(2) and (5), 863(A), 864(B)(4), (5), and (8), and (C), 865(A)(intro. para.) and (1), 866, 867, 868(A)(intro. para.) and (1) and (B), 871, 875-878, 879 (intro. para.) and (2) and (3), 880, 882(1)-(5), 883(C)(5)(c) and (d), 884, 885(A), (C), and (D), 886, 887(A)(intro. para.) and (1)(b) and (2), (B), (D)(1), (E), (G)(2), and (H), and 888(B)(1) and (2), (C), (D), and (E))