

2022 Regular Session

SENATE BILL NO. 119

BY SENATOR TALBOT

INSURANCE CLAIMS. Provides for a catastrophe claims consumer guide. (1/1/23)

1 AN ACT

2 To enact R.S. 22:1897, relative to catastrophic claims; to provide for a catastrophic claims
3 consumer guide; to provide for the contents of the guide; to provide for distribution
4 of the guide; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R..S. 22:1897 is hereby enacted to read as follows:

7 **§1897. Catastrophe claims consumer guide**

8 **A. The commissioner shall publish a catastrophe claims consumer guide**
9 **to inform policyholders of the property insurance claims adjustment and**
10 **payment process.**

11 **B. The catastrophe claims consumer guide shall include all of the**
12 **following items:**

13 **(1) The determination of coverages available under a property policy.**

14 **(2) The calculation of policy deductibles.**

15 **(3) An explanation of actual cash value and replacement cost value.**

16 **(4) Policyholder duties in the adjustment and settlement of a claim**
17 **including the documentation necessary for a satisfactory proof of loss.**

- (6) The process for filing of a complaint with the commissioner if there is any dissatisfaction with the claim adjustment and payment process.
- (7) Policyholder rights and protections.
- (8) Any other information determined by the commissioner to be beneficial to the policyholder.

Proposed law requires every insurer receiving a property insurance claim arising out of a state of disaster or emergency declared by the governor to provide each claimant with the catastrophe claims consumer guide no later than the initial investigation of a claim by an adjuster.

Proposed law is not to be construed to create or imply a private cause of action nor shall it be construed to curtail a private cause of action that otherwise exists in the absence of proposed law.

Effective January 1, 2023.

(Adds R.S. 22:1897)