

SENATE BILL NO. 345

BY SENATOR BARROW

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AN ACT

To enact R.S. 22:1335(C) through (H), relative to cancellation of homeowner's policies; to provide a surviving spouse a grace period to pay the premiums for a homeowner's policy; to provide for grace period requirements; to provide for rules; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1335(C) through (H) are hereby enacted to read as follows:

§1335. Homeowner's insurance; cancellation, nonrenewal; **limited grace period for surviving spouse**

* * *

C. An insurer providing property, casualty, or liability insurance that provides homeowners' insurance shall provide up to a maximum of a sixty day grace period for the payment of a semi-annual or annual insurance premium for homeowners' insurance upon the insurer's receipt of a request from a surviving spouse that is in accordance with this Section. When the grace period is implemented, all time delays for cancellation or nonrenewal set forth in Subsection A of this Section shall be extended by the length of the grace period as required in Subsection D of this Section.

D. To receive a grace period extension, an insured shall provide written notice to his insurer that includes both of the following:

(1) A copy of the death certificate for the deceased spouse that includes his date of death, and the date of his death is within sixty days following the original insurance premium due date.

(2) A specification of the requested length of days for the grace period that shall not exceed sixty days following the original due date for a semi-annual

1 or annual insurance premium payment.

2 E. Upon conclusion of the grace period elected in Paragraph (D)(2) of
3 this Section, all sums originally due shall become due and payable.

4 F. This grace period shall only apply to insurance payments made
5 directly by the insured to his insurer and shall exclude payments made to any
6 lending institution or financial intermediary that includes insurance premium
7 payments as part of an escrow arrangement.

8 G. The grace period payment shall not create a private right of action by
9 the insured, except the commissioner may consider the failure of the insurer to
10 grant a properly documented timely request pursuant to Subsection D of this
11 Section as a violation of R.S. 22:1964.

12 H. The commissioner may promulgate and adopt rules in accordance
13 with the Administrative Procedure Act.

14 Section 2. This Act shall become effective on January 1, 2025.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____