

SENATE BILL NO. 45

BY SENATOR JOHN SMITH

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

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AN ACT

To amend and reenact R.S. 22:2055(13) and to enact R.S. 22:46(19), relative to the definition of ocean marine insurance; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:46(19) is hereby enacted to read as follows:

§46. General Definitions

In this Code, unless context otherwise requires, the following definitions are applicable:

\* \* \*

**(19) "Ocean marine insurance" means marine insurance as defined in R.S. 22:47(13), except for inland marine, as well as any other form of insurance, regardless of the name, label, or marketing designation of the insurance policy, which insures against maritime perils or risks and other related perils or risks, which are usually insured against by traditional marine insurances such as hull and machinery, marine builders' risks, and marine protection and indemnity. Such perils and risks insured against include without limitation loss, damage, or expense or legal liability of the insured for loss, damage, or expense arising out of or incident to ownership, operation, chartering, maintenance, use, repair, or construction of any vessel, craft, or instrumentality in use in ocean or inland waterways, including liability of the insured for personal injury, illness, or death or for loss of or damage to the property of the insured or another person, except this definition shall not include insurance on vessels under five tons gross weight. Ocean marine insurance as defined in this Section is subject to R.S. 22:1269.**

1 Section 2. R.S. 22:2055(13) is hereby amended and reenacted to read as follows:

2 §2055. Definitions

3 As used in this Part:

4 \* \* \*

5 (13) "Ocean marine insurance" ~~includes marine insurance as defined in R.S.~~  
6 ~~22:47(13), except for inland marine, as well as any other form of insurance,~~  
7 ~~regardless of the name, label, or marketing designation of the insurance policy,~~  
8 ~~which insures against maritime perils or risks and other related perils or risks, which~~  
9 ~~are usually insured against by traditional marine insurances such as hull and~~  
10 ~~machinery, marine builders' risks, and marine protection and indemnity. Such perils~~  
11 ~~and risks insured against include without limitation loss, damage or expense or legal~~  
12 ~~liability of the insured for loss, damage, or expense arising out of or incident to~~  
13 ~~ownership, operation, chartering, maintenance, use, repair or construction of any~~  
14 ~~vessel, craft or instrumentality in use in ocean or inland waterways, including~~  
15 ~~liability of the insured for personal injury, illness or death or for loss of or damage~~  
16 ~~to the property of the insured or another person, except this definition shall not~~  
17 ~~include insurance on vessels under five tons gross weight~~ **shall have the same**  
18 **meaning as that term is defined in R.S. 22:46(19).**

19 \* \* \*

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_