

2024 Regular Session – Insurance Reform Legislation

Act/Bill Number	Status	Author	Bill Description
Act 3	Effective 07/01/2024	Sen. Talbot	Clarifies that for catastrophe property claims, the clock to pay a claim starts when the insurer receives satisfactory proof of loss in writing; Provides that the insurer has 60 days to make residential claim payments and 90 days to make commercial claim payments following proof of loss; Establishes a cure period, in which the policyholder must give the insurer 60 days' notice before suing the insurer for bad faith, thereby giving the insurer a final opportunity to pay any amount owed before being sued; Requires the insurer and insured to act in good faith when settling claims.
Act 8	Effective 08/01/2024	Rep. Willard	Removes the sunset on the LA Fortify Homes Program, thereby allowing this program to continue and signaling to the industry that Louisiana is taking resiliency seriously.
Act 9	See Act	Rep. Firment	Sunsetts the 3-year rule on August 1, 2024, while grandfathering in policies that have been in effect for at least 3 years by the sunset date. Beginning January 1, 2025, an insurer can nonrenew up to 5% of its policies subject to the 3-year rule each year. If approved by the Commissioner of Insurance, the insurer may nonrenew more than 5% in a given year.
Act 10	Effective 05/07/2024	Sen. Cloud	Streamlines the LDI rate filing system by changing it from prior approval (meaning the Commissioner of Insurance must approve rates before they are effective) to a file and use system (meaning rates can be used once filed, and the Commissioner has 30 days to review). If the Commissioner finds that a rate is in violation of the law, he can require the insurer to reimburse or give credits to affected insureds. This will increase speed to market and allow insurers to react more effectively and efficiently to changing market conditions.
Act 14	Effective 08/01/2024	Rep. Beaulieu	Currently, title insurance producers must have a high school diploma, GED, or home school certificate. The bill allows a degree, diploma, or certificate from an accredited post-secondary education institution to meet this requirement.
Act 111	Effective 08/01/2024	Rep. Mandie Landry	Increases the fine for failing to comply with a directive from the Commissioner of Insurance regarding a consumer complaint from a flat fine of up to \$250, to up to \$250 if the person fails to comply within 30 days, up to \$500 if the person fails to comply within 60 days, and up to \$1,000 if the person fails to comply within 75 days. These fines are imposed per occurrence.
Act 113	Effective 08/01/2024	Rep. Firment	Makes it an unfair claims settlement practice to fail to make available, upon written request of an insured, the

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Act 113 (continued)	Effective 08/01/2024	Rep. Firment	original field adjuster's repair estimate, and if the estimate was revised, failing to identify the person who made the revisions, if such failure is done with such frequency to indicate it is a general business practice.
Act 135	Effective 08/01/2024	Rep. Henry	Authorizes the Commissioner of Insurance to send electronic notices to licensees under his authority if the LDI intends to take administrative action against the licensee (i.e., license suspension or revocation).
Act 151	Effective 05/22/2024	Sen. Bouie	Prohibits insurers from solely relying on aerial images as the basis to nonrenew or cancel a homeowner's policy unless the images are less than 2 years old.
Act 170	Effective 05/23/2024	Sen. Talbot	Clarifies that an exemption to provide certain biographical data to the LDI for volunteer board members of interlocal risk management agencies applies to interlocal risk management agencies for local housing authorities.
Act 173	Effective 01/01/2025	Sen. Boudreaux	Expands the 25% military discount for auto policies to include military reservists.
Act 175	Effective 01/01/2025	Sen. Barrow	Requires insurers to provide widowers/widows with a grace period of up to 60 days to pay an annual or semiannual homeowners premium if the insured requests such in writing.
Act 229	Effective 05/23/2024	Rep. Carver	Creates the Regulatory Sandbox Act, which authorizes the Commissioner of Insurance to grant limited waivers to insurers for certain laws, regulations, and directives, so that the insurer can offer products on a limited basis it otherwise could not. The waivers cannot abridge any policyholder rights, and the bill provides other consumer protections that cannot be waived.
Act 235	Effective 05/23/2024	Rep. Bamburg	Repeals the sunset date for the Insurance Fraud Task Force (made up of the State Police, Attorney General's office, and Office of Insurance Fraud in the LDI), to allow the task force to continue the work it is doing to combat insurance fraud.
Act 236	Effective 05/23/2024	Rep. Braud	Repeals the sunset date for the Sledge Jeansonne Anti-Fraud Act to allow the Attorney General to keep her authority to pursue civil investigations and seek civil judgments against those engaged in insurance fraud.
Act 250	Effective 08/01/2024	Rep. Hebert	Clarifies that the LDI shall use the Examiner's Handbook and the Market Regulation Handbook, both published by the NAIC, when conducting examinations of insurers.
Act 275	Effective 08/01/2024	Rep. McFarland	Repeals LA's direct action statute, meaning that in a lawsuit, the plaintiff will need to directly sue the defendant, instead of the defendant's insurer. The insurer will still be liable for any covered damage, but the jury will be more likely to assess the actual fault of the defendant in the action and apply the percentage of fault to the amount of damages, instead of inflating the claim, because the insurer will pay whatever the jury decides.

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Act 339	Effective 08/01/2024	Sen. Bass	Repeals the boards and commissions in the LDI and gives the Commissioner of Insurance the authority to create policy advisory boards by regulation to continue the work currently occurring in the boards and commissions, while giving the Commissioner the flexibility to add members and topics of discussion to the boards without the need for legislation.
Act 340	See Act	Sen. Bass	Creates a residual venue in the 19th JDC for insurance fraud cases, so that if the AG picks up an insurance fraud case the DA does not want to prosecute, the AG can try the case in the parish in which the crime occurred or in East Baton Rouge. The bill also authorizes the agency heads of the Insurance Fraud Task Force (Superintendent of State Police, Attorney General, and Commissioner of Insurance) to enter into agreements annually as to how the insurance fraud assessment on insurers is divided among the task force members. If they do not all agree on how the assessment will be divided by September 30, the assessment will be divided as currently provided in law (75% to State Police, 15% to the AG, 10% to LDI).
Act 381	See Act	Rep. Illg	Clarifies that it is the duty of the insurer, not the agent, to maintain copies of policyholders' uninsured/underinsured motorist coverage selection/rejection form.
Act 389	Effective 08/01/2024	Rep. Braud	Clarifies the subpoena power of the Commissioner of Insurance and modifies the definition of fraudulent insurance act to include presenting to an insurer or insured a statement, estimate, invoice, bid, etc. that misrepresents the scope of damage, or costs of repairs associated with a property insurance claim, if the misrepresentation was done knowingly and with the intent to defraud.
Act 397	Effective 05/28/2024	Sen. Barrow	Requires the consumer to disclose to the insurer if the insured home is being used as a group home.
Act 401	Effective 08/01/2024	Rep. Boyd	Authorizes LA Citizens Property Insurance Company to limit and/or exclude personal property coverage in their residential policies at the request of the insured.
Act 423	Effective 07/01/2024	Rep. Mike Johnson	Changes the prescriptive period (referred to as statute of limitations in other states) on injury claims from 1 year to 2 years.
Act 426	Effective 08/01/2024	Rep. Knox	Extends the grace period applicable to penalties for lapse of compulsory motor vehicle liability security from 5 days to 10 days.
Act 487	Effective 08/01/2024	Rep. Henry	Amends the Administrative Procedure Act to allow state agencies to send electronic notice to licensees if the agency intends to take administrative action against the licensee (i.e., license suspension or revocation).

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Act 488	Effective 08/01/2024	Rep. Jordan	Prohibits former officers and directors of insurers that became insolvent from thereafter being a managing general agent (MGA), unless the person demonstrates that his personal actions were not a significant contributing cause to the insolvency. The bill codifies that if an insurer has an MGA that writes more than 5% of its policyholder surplus, the insurer shall have on file an independent audited financial report of each MGA with which it has done business. The bill requires MGAs to submit to examination of the MGA's financial condition as considered necessary by the Commissioner of Insurance and requires an MGA to at least quarterly submit an account report to the insurers with which it is under contract, and requires an MGA to notify the LDI within 30 days of certain actions occurring.
Act 502	Effective 08/01/2024	Sen. Seabaugh	Code of Civil Procedure Article 970 currently states that if the plaintiff does not win a "judgment" (i.e., if the defendant wins) then the offer of judgment is not applicable. The bill resolves this imbalance and directs that if the final judgment is in favor of the defendant and is at least 25% less than the amount of the offer of judgment, the defendant is entitled to recover attorneys' fees and costs from the plaintiff. The bill will encourage early settlement within a reasonable range and discourage the plaintiff from overvaluing their cases and suing improper defendants.
Act 533	Effective 6/10/2024	Sen. Duplessis	Requires the LDI to publish all approved fortified discounts on its website. The bill protects LA Fortify Homes Program applicants' person information from public disclosure. The bill requires the LDI to conduct an actuarial study to determine a range of actuarially justified discounts for structures that meet the fortified standards of the IBHS if the LDI receives a sufficient appropriation, and if the LDI does not receive a sufficient appropriation, the bill authorizes the LDI to conduct the study with its staff actuaries.
Act 600	Effective 08/01/2024	Rep. Glorioso	Prohibits issuance of property insurance policies that include the value of unimproved land in the policy valuation.
Act 611	Effective 05/01/2025	Rep. Mandie Landry	Requires homeowners and private passenger auto insurers to provide policyholders and prospective policyholders with a list of all the discounts they offer.
Act 614	Effective 08/01/2024	Rep. Henry	Requires all licensees under the authority of the Commissioner of Insurance to maintain up-to-date contact information with the LDI. The bill also updates the data points insurers are required to submit to the LDI in their anti-fraud plans, so the LDI can better monitor the impact of insurance fraud and better allocate its resources to areas for which insurance fraud is most prevalent.

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Act 625	Effective 08/01/2024	Rep. Firment	The appraisal process is an effective tool that can be used to settle an insurance claim dispute over the amount of a loss without filing suit, but there is not much in law to lay out the appraisal process. This bill provides more detail about the appraisal process, including formalizing the requirements and obligations of umpires and appraisers and clarifying the factors that constitute a conflict of interest. The bill provides a procedure for reporting potential conflicts of interest and objections and a procedure for selecting an umpire if the appraisers do not agree on an umpire.
Act 714	Effective 08/01/2024	Rep. Green	Provides a process whereby the LDI can perform actuarial studies on bills that have health defrayal costs to make fiscal notes more accurate and reduce the chance that inflated medical costs are imposed upon the Office of Group benefits, thereby saving the state large sums.
Act 757	See Act	Sen. Talbot	Sets the cap on damages against LA Citizens Property Insurance Corporation at policy limits plus reasonable attorney fees. The bill also suspends the 10% surcharge on Citizens policies issued or renewed from January 1, 2025 through December 31, 2027.
Act 765	Effective 08/01/2024	Sen. Stine	The Litigation Financing Disclosure Act makes litigation finance agreements discoverable and prohibits litigation financiers from deciding, influencing, or directing a party or attorney regarding the underlying civil action. The bill also codifies that the right to make decisions regarding the action remains solely with the parties and their attorneys.
Act 770	Effective 08/01/2024	Sen. Reese	Clarifies that for personal passenger auto, if an insured does not properly fill out the uninsured motorist rejection form but intended to reject the coverage, the court may find that there was no coverage. The bill also makes commercial auto uninsured motorist coverage opt in rather than opt out.
Act 789	Effective 08/01/2024	Rep. Muscarello	Removes the distinction for foreign or alien insurers in existing law and provides that actions against a foreign corporation or a foreign limited liability company not licensed to do business in the state, or a nonresident who has not appointed an agent for the service of process in the manner provided by law, shall not be brought in the parish of the plaintiff's domicile or parish where service may be made and is subsequently made on the defendant when service is made pursuant to R.S. 22:335.

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Act/Bill Number	Status	Author	Bill Description
Act 11	Effective 08/01/2025	Rep. Wiley	Requires insurers to provide prior premium amounts with renewals of automobile and residential property insurance policies. Repeals the distinction between competitive and noncompetitive markets with respect to the regulation of insurance rates. Permits the commissioner of insurance to disapprove excessive, inadequate, or unfairly discriminatory rates, regardless of market conditions.
Act 15	Effective 01/01/2026	Rep. Chenevert	Changes Louisiana’s pure comparative fault system to a modified comparative fault system with a 51% bar to recovery. This means that an injured party shall not recover damages if they are found to be greater than or equal to 51% at fault in causing the damages. If the degree or percentage of negligence attributable to the injured party is less than 51%, the amount of damages the injured party can recover is reduced in proportion to the degree or percentage of negligence attributable to the injured party. Also provides that where the issue of comparative fault is submitted to the jury, the jury shall be instructed on the effect of a modified comparative fault system.
Act 16	Effective 08/01/2025	Rep. Dewitt	Provides that there shall be no recovery for the first \$100,000 of bodily injury and property damages for an owner or operator of a vehicle who fails to maintain compulsory motor vehicle liability security. Provides that if the owner who fails to maintain compulsory motor vehicle liability security is awarded an amount equal to or less than \$100,000 of bodily injury, then the owner shall be held liable for all court costs. Additionally, HB434 provides that no insurer shall lose any subrogation rights paid under the applicable insurance policy for the recovery of a sum in excess of the first \$100,000 of bodily injury and property damages.
Act 17	Effective 08/01/2025	Rep. Firment	Prohibits the recovery of general damages and past and future wages for unauthorized aliens in an automobile accident. However, there is an exception to the prohibition of recovery when an unauthorized alien

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Act 17 (continued)	Effective 08/01/2025	Rep. Firmont	is named as an insured on claims made against an uninsured or underinsured motorist policy. An unauthorized alien is allowed to recover for other special damages.
Act 18	Effective 05/28/2025	Rep. Melerine	Provides that in a claim for personal damages not raised pursuant to the Louisiana Workers' Compensation Law, the lack of a prior history of an illness, injury or condition shall not create a presumption that the act that is the subject of the claim caused the illness, injury, or condition.
Act 19	Effective 01/01/2026	Rep. Schamerhorn	Requires insurers providing commercial motor vehicle insurance policies to provide an actuarially justified discount on the liability premium for vehicles equipped with a dashboard camera and telematics system. The discount does not extend to collision, comprehensive, or other coverage types unless otherwise determined by the insurer.
Act 85	Effective 01/01/2026	Rep. Firmont	Defines "institutional advertising expenses" as advertising expenses not aimed at obtaining business for a specific insurer nor providing consumers with information pertinent to the decision of whether to purchase an insurance product. Prohibits insurers from considering its institutional advertising expenses for the purpose of setting rates.
Act 288	Effective 08/01/2025	Rep. Glorioso	Prohibits the use of wireless telecommunication devices, including cellular phones, texting devices, stand-alone computers, or any other portable wireless devices, while operating a motor vehicle. Provides exceptions for emergency situations, including reporting collisions or medical emergencies, reporting personal safety risks (threats of death or serious bodily injury), reporting active crimes, and use by law enforcement or emergency responders in the course and scope of their duties. The law does not apply to hands-free calls. Establishes penalties for violations including monetary fines and community service based on the severity of the violation. The law seeks to prevent distracted driving while simultaneously impacting auto insurance rates by reducing accident frequency and severity, leading to lower claims costs

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Act 288 (continued)	Effective 08/01/2025	Rep. Glorioso	for insurance companies and reduced rates for policyholders.
Act 466	Effective 01/01/2026	Sen. Reese	Reforms collateral source to provide that in a trial to recover past medical expenses in cases where a claimant's expenses have been paid in whole or part by a health insurance issuer or Medicare, the trier of fact shall be informed of the amounts billed and the amounts actually paid for medical expenses that have been incurred. Additionally provides that the recovery of medical expenses other than those paid in whole or part by a health insurance issuer or Medicare or by Medicaid to a medical provider, shall include the amounts paid to a medical provider and the amounts remaining owed. In cases where the attorney for the client has entered into a pre-negotiated agreement where the medical provider agrees to accept less than the amount billed as compensation, the recovery is limited to the amount actually paid and any cost sharing amounts.
Act 476	Effective 01/01/2026	Rep. Hebert	Prohibits insurers from increasing premiums or adding surcharges to automobile policies based on an insured's first lapse in coverage if the lapse does not exceed 90 days. Authorizes insurers to increase rates or surcharges for any subsequent lapses in coverage; however, if 5 consecutive years have passed since the first lapse, the following lapse must be treated as a first lapse.
Act 480	Effective 06/30/2025	Rep. Braud	Allows insurers to offer a stated value policy option to homeowners for coverage based on a stated value of the residential property as declared by the homeowner, rather than solely on the market value of the property.