

ACT No. 739

HOUSE BILL NO. 1289 (Duplicate of Senate Bill No. 740)

BY REPRESENTATIVE MORRELL AND SENATOR QUINN AND COAUTHORED BY REPRESENTATIVES ANSARDI, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BURNS, BURRELL, K. CARTER, DANIEL, DARTEZ, DORSEY, FARRAR, FAUCHEUX, FRITH, GLOVER, GRAY, E. GUILLORY, HARRIS, HEATON, HEBERT, HILL, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MCDONALD, ODINET, PIERRE, QUEZAIRE, RICHMOND, ROMERO, SCHNEIDER, JANE SMITH, ST. GERMAIN, AND TRAHAN AND SENATOR MURRAY

1 AN ACT

2 To amend and reenact R.S. 22:629 and to enact R.S. 22:658.3, relative to insurance claims;
3 to provide relative to certain time limitations on actions; to extend the time for filing
4 certain insurance claims for damages arising from hurricane activity; to provide for
5 an emergency effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:629 is hereby amended and reenacted and R.S. 22:658.3 is hereby
8 enacted to read as follows:

9 §629. Limiting actions; jurisdiction

10 A. No insurance contract delivered or issued for delivery in this state and
11 covering subjects located, resident, or to be performed in this state, or any group
12 health and accident policy insuring a resident of this state; regardless of where made
13 or delivered, shall contain any condition, stipulation, or agreement:

14 (1) Requiring it to be construed according to the laws of any other state or
15 country except as necessary to meet the requirements of the motor vehicle financial
16 responsibility laws of such other state or country; or

17 (2) Depriving the courts of this state of the jurisdiction of action against the
18 insurer; ~~or,~~

19 ~~(3) B. No insurance contract delivered or issued for delivery in this state and~~
20 ~~covering subjects located, resident, or to be performed in this state, or any group~~

1 House Bill No. 1302 or Acts 2006, No. ___ that originated as Senate Bill No. 740, and such
2 suit shall seek to determine the constitutionality of any or all of these Acts.

3 Section 4. This Act shall become effective upon signature by the governor or, if not
4 signed by the governor, upon expiration of the time for bills to become law without signature
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become
7 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____