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DIGEST

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SB 134 Engrossed

2022 Regular Session

Talbot

Proposed law provides for civil authority prohibited use coverage involving catastrophic events during which a state of disaster or emergency is declared by civil authorities. Provides that if the civil authority prohibits the insured from using their residential premises during the disaster or emergency and direct damage to a neighboring premises results from the covered peril, the civil authority prohibited use coverage will be afforded as provided in the insurance policy.

Proposed law provides that civil authority prohibit use is satisfied if either of the following occur:

- (1) The civil authority issues an order of evacuation for the area in which the dwelling is located as a result of a peril covered by the policy.
- (2) A civil authority declares through public safety announcements that the area in which the dwelling is located should be evacuated as a result of a peril covered by the policy.

Proposed law requires insurers to interpret all actions of a civil authority, in globo, relating to the declaration of emergency, without regard to whether formal orders of evacuation were issued.

Effective on January 1, 2023.

(Adds R.S. 22:1273)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the engrossed bill:

1. Specify that the provision of proposed law that provides that insurers shall interpret all actions of a civil authority, without regard as to whether formal orders of evacuation were issued relates to the declaration of emergency requirement.
2. Make technical changes.