

SENATE BILL NO. 45

BY SENATOR JOHN SMITH

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

1 AN ACT

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

4 Be it enacted by the Legislature of Louisiana:

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

6 §46. General Definitions

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

9 * * *

10 **(19) "Ocean marine insurance" means marine insurance as defined in**
11 **R.S. 22:47(13), except for inland marine, as well as any other form of insurance,**
12 **regardless of the name, label, or marketing designation of the insurance policy,**
13 **which insures against maritime perils or risks and other related perils or risks,**
14 **which are usually insured against by traditional marine insurances such as hull**
15 **and machinery, marine builders' risks, and marine protection and indemnity.**
16 **Such perils and risks insured against include without limitation loss, damage,**
17 **or expense or legal liability of the insured for loss, damage, or expense arising**
18 **out of or incident to ownership, operation, chartering, maintenance, use, repair,**
19 **or construction of any vessel, craft, or instrumentality in use in ocean or inland**
20 **waterways, including liability of the insured for personal injury, illness, or**
21 **death or for loss of or damage to the property of the insured or another person,**
22 **except this definition shall not include insurance on vessels under five tons gross**
23 **weight. Ocean marine insurance as defined in this Section is subject to R.S.**
24 **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 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____