

2018 Regular Session

SENATE BILL NO. 85

BY SENATOR JOHN SMITH

INSURANCE CLAIMS. Provides for an insured to opt in to receive a claim payment by electronic transfer. (8/1/18)

1 AN ACT

2 To amend and reenact R.S. 22:41(13), relative to the insurance policyholder bill of rights;
3 to provide for an insured to opt in to receive a claim payment by electronic transfer;
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:41(13) is hereby amended and reenacted to read as follows:

7 §41. Policyholder bill of rights

8 The following items exist in Louisiana statutes and shall serve as standards
9 for a policyholder bill of rights and do not create additional causes of actions or
10 further penalties not otherwise provided under Louisiana statutes:

11 * * *

12 (13) Policyholders shall have the right to receive payment of the amount of
13 any property damage claim, or a portion of the claim, due or a written offer to settle
14 any property damage claim within thirty days after receipt of satisfactory proof of
15 loss in accordance with R.S. 22:1892 and 1973. **A claim payment shall be made by**
16 **check, draft, or, if offered by the carrier and the claimant requests, electronic**
17 **transfer of funds.** If a claim is denied, policyholders shall have the right to receive

1 a written explanation as to the reason for denial, in whole or in part, of any claim
 2 made under their policy of insurance.

3 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Cooper.

DIGEST

SB 85 Engrossed

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Present law provides for an insurance policyholder bill of rights, which serves as standard expectations for any insurance policyholder.

Present law gives policyholders the right to receive payment of the amount of any property damage claim, or a portion of the claim, due or a written offer to settle any property damage claim within 30 days after receipt of satisfactory proof of loss in accordance with present law.

Proposed law retains present law and requires a claim payment to be made by check, draft, or, if offered by the carrier and the claimant requests, electronic transfer of funds.

Effective August 1, 2018.

(Amends R.S. 22:41(13))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the original bill

1. Requires a claim payment to be made by check, draft, or, if offered by the carrier and the claimant requests, electronic transfer of funds.