

2022 Regular Session

HOUSE BILL NO. 930

BY REPRESENTATIVE STAGNI

INSURANCE/HOMEOWNERS: Provides for loss of use benefits in homeowners' policies

1 AN ACT

2 To enact R.S. 22:1338, relative to homeowners' insurance policies; to provide certain means  
3 by which a policy requirement for loss of use benefits is satisfied; and to provide for  
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:1338 is hereby enacted to read as follows:

7 §1338. Homeowners' insurance policies; loss of use pursuant to civil authority  
8 action

9 Any insurer issuing homeowners' insurance policies that require a civil  
10 authority to prohibit use of the dwelling in order to pay loss of use benefits, including  
11 but not limited to additional living expenses, shall consider that requirement satisfied  
12 if any of the following occur:

13 (1) A mandatory evacuation order is issued by a civil authority for the area  
14 in which the dwelling is located.

15 (2) A civil authority declares through a formal order or announcements in  
16 public media that the area in which the dwelling is located is unsafe as a result of a  
17 peril covered by the policy.

18 (3) A federal authority declares a state of emergency for the area in which  
19 the dwelling is located.

- 1                    (4) A federal authority declares the area in which the dwelling is located to  
2                    be a disaster area.
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## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 930 Original

2022 Regular Session

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**Abstract:** Provides for loss of use benefits in homeowners' policies.

Proposed law provides that any homeowners' insurance policy requirement that necessitates a civil authority to prohibit use of the dwelling in order to pay loss of use benefits shall be considered satisfied if any of the following occur:

- (1) A mandatory evacuation order is issued by a civil authority.
- (2) A civil authority declares through a formal order or announcements in public media that the area in which the dwelling is located is unsafe as a result of a peril covered by the policy.
- (3) A federal authority declares a state of emergency for the area in which the dwelling is located.
- (4) A federal authority declares the area in which the dwelling is located to be a disaster area.

(Adds R.S. 22:1338)