
SENATE COMMITTEE AMENDMENTS

2022 Regular Session

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 83 by Representative Schlegel

1 AMENDMENT NO. 1

2 On page 1, line 2, change "R.S. 22:1338" to "R.S. 22:1273"

3 AMENDMENT NO. 2

4 On page 1, line 2, change "relative to homeowner's insurance policies;" to "relative to
5 presumption of coverage;"

6 AMENDMENT NO. 3

7 On page 1, line 6, change "R.S. 22:1338" to "R.S. 22:1273"

8 AMENDMENT NO. 4

9 On page 1, delete lines 7 through 17, and on page 2, delete lines 1 through 5, and insert the
10 following:

11 "§1273. Presumption of coverage; civil authority prohibited use

12 A. For losses that arise due to a catastrophic event in which a state of disaster
13 or emergency is declared by civil officials, for those areas within the declaration, if
14 a civil authority prohibits the insured from using their residential premises and
15 during that time, direct damage to a neighboring premises results from a covered
16 peril, the civil authority prohibited use coverage shall be afforded as provided in the
17 policy. The requirement that a civil authority prohibit use is satisfied if either of the
18 following occur:

19 (1) A civil authority issues an order of evacuation for the area in which the
20 dwelling is located as a result of a peril covered by the policy.

21 (2) A civil authority declares through public safety announcements that the
22 area in which the dwelling is located should be evacuated as a result of a peril
23 covered by the policy.

24 B. For purposes of this Section, insurers shall interpret, in globo, all actions
25 of a civil authority, without regard to whether formal orders of evacuation were
26 issued.

27

28 Section 2. This Act shall become effective on January 1, 2023; if vetoed by the
29 governor and subsequently approved by the legislature, this Act shall become effective on
30 the day following such approval by the legislature or January 1, 2023, whichever is later."