HLS 24RS-817 ENGROSSED

2024 Regular Session

HOUSE BILL NO. 511

1

BY REPRESENTATIVE ILLG

INSURANCE/AUTOMOBILE: Provides relative to uninsured motorists and certain policy forms

AN ACT

2	To amend and reenact R.S. 22:1295(1)(a)(ii), relative to uninsured motorist coverage; to
3	provide relative to the uninsured motorist rejection form; to require insurers to verify
4	proper completion of the form; to require insurers' retention of a copy; to prohibit
5	delegation of retention responsibilities; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 22:1295(1)(a)(ii) is hereby amended and reenacted to read as
8	follows:
9	§1295. Uninsured motorist coverage
0	The following provisions shall govern the issuance of uninsured motorist
1	coverage in this state:
12	(1)(a)
13	* * *
4	(ii) Such rejection, selection of lower limits, or selection of economic-only
15	coverage shall be made only on a form prescribed by the commissioner of insurance.
16	The prescribed form shall be provided by the insurer and signed by the named
17	insured or his legal representative. The form signed by the named insured or his
18	legal representative which initially rejects such coverage, selects lower limits, or
19	selects economic-only coverage shall be conclusively presumed to become a part of
20	the policy or contract when issued and delivered, irrespective of whether physically

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attached thereto. A properly completed and signed form creates a rebuttable presumption that the insured knowingly rejected coverage, selected a lower limit, or selected economic-only coverage. An insurer may require the producer of record to obtain the form signed by the named insured; however, the insurer shall verify that the form is properly completed, retain a copy of the form as part of the policy, and shall not delegate this obligation to retain a properly completed form to the producer of record. The form signed by the insured or his legal representative which initially rejects coverage, selects lower limits, or selects economic-only coverage shall remain valid for the life of the policy and shall not require the completion of a new selection form when a renewal, reinstatement, substitute, or amended policy is issued to the same named insured by the same insurer or any of its affiliates. An insured may change the original uninsured motorist selection or rejection on a policy at any time during the life of the policy by submitting a new uninsured motorist selection form to the insurer on the form prescribed by the commissioner of insurance. Any changes to an existing policy, regardless of whether these changes create new coverage, except changes in the limits of liability, do not create a new policy and do not require the completion of new uninsured motorist selection forms. For the purpose of this Section, a new policy shall mean means an original contract of insurance which an insured enters into through the completion of an application on the form required by the insurer.

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)]

HB 511 Engrossed

2024 Regular Session

Illg

Abstract: Requires proper completion and retention of the uninsured motorist form for rejection of coverage.

<u>Proposed law</u> requires insurers to verify proper completion of the uninsured motorist form for rejection of coverage provided for in <u>present law</u>. Authorizes insurers to require the producer of record to obtain the form; however, <u>proposed law</u> requires insurers to retain a

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copy and prohibits insurers from delegating retention responsibilities to the producer of record.

(Amends R.S. 22:1295(1)(a)(ii))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Insurance</u> to the <u>original</u> bill:

1. Authorize insurers to require the producer of record to obtain the uninsured motorist form signed by the named insured.