

SENATE FLOOR AMENDMENTS

2024 Regular Session

Amendments proposed by Senator Barrow to Engrossed Senate Bill No. 345 by Senator Barrow

1 AMENDMENT NO. 1

2 On page 1, line 2, delete "R.S. 22:1339" and insert "R.S. 22:1335(C) through (H) and change
3 "widow" to "surviving spouse"

4 AMENDMENT NO. 2

5 On page 1, line 3, delete "an extension" and insert "a grace period" and after "policy;" insert
6 "to provide for grace period requirements; to provide for rules; to provide an effective date;"

7 AMENDMENT NO. 3

8 On page 1, delete lines 6 through 11, and insert the following:

9 "Section 1. R.S. 22:1335(C) through (H) are hereby enacted to read as follows:
10 §1335. Homeowner's insurance; cancellation, nonrenewal; **limited grace period for**
11 **surviving spouse**

12 * * *

13 **C. An insurer providing property, casualty, or liability insurance**
14 **that provides homeowners' insurance shall provide up to a maximum of**
15 **a sixty day grace period for the payment of a semi-annual or annual**
16 **insurance premium for homeowners' insurance upon the insurer's**
17 **receipt of a request from a surviving spouse that is in accordance with**
18 **this Section. When the grace period is implemented, all time delays for**
19 **cancellation or nonrenewal set forth in Subsection A of this Section shall**
20 **be extended by the length of the grace period as required in Subsection**
21 **D of this Section.**

22 **D. To receive a grace period extension, an insured shall provide**
23 **written notice to his insurer that includes both of the following:**

24 **(1) A copy of the death certificate for the deceased spouse that**
25 **includes his date of death and the date of his death is within sixty days**
26 **following the original insurance premium due date.**

27 **(2) A specification of the requested length of days for the grace**
28 **period that shall not exceed sixty days following the original due date for**
29 **a semi-annual or annual insurance premium payment.**

30 **E. Upon conclusion of the grace period elected in Paragraph**
31 **(D)(2) of this Section, all sums originally due shall become due and**
32 **payable.**

33 **F. This grace period shall only apply to insurance payments made**
34 **directly by the insured to his insurer and shall exclude payments made**
35 **to any lending institution or financial intermediary that includes**
36 **insurance premium payments as part of an escrow arrangement.**

37 **G. The grace period payment shall not create a private right of**
38 **action by the insured except the commissioner may consider the failure**
39 **of the insurer to grant a properly documented timely request pursuant**
40 **to Subsection D of this Section as a violation of R.S. 22:1964.**

41 **H. The commissioner may promulgate and adopt rules in**
42 **accordance with the Administrative Procedure Act.**

43 Section 2. This Act shall become effective on January 1, 2025."
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