

2025 Regular Session

HOUSE BILL NO. 434

BY REPRESENTATIVES DEWITT, AMEDEE, BACALA, BAMBURG, BEAULLIEU,
BERAULT, BILLINGS, BOURRIAQUE, BOYER, BUTLER, CARLSON,
CARVER, CHENEVERT, DEVILLIER, DICKERSON, ECHOLS, EDMONSTON,
EGAN, EMERSON, FIRMENT, FONTENOT, GADBERRY, GLORIOSO,
HENRY, MIKE JOHNSON, MCMAKIN, MELERINE, OWEN, ROMERO,
SCHAMERHORN, TURNER, WILDER, AND WYBLE

1 AN ACT

2 To amend and reenact R.S. 32:866(A)(1), (C), and (F), relative to the recovery for certain
3 damages; to provide a limitation of recovery under certain circumstances; to require
4 automobile insurance to recover certain damages; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 32:866(A)(1), (C), and (F) are hereby amended and reenacted to read
7 as follows:

8 §866. Compulsory motor vehicle liability security; failure to comply; limitation of
9 damages

10 A.(1) There shall be no recovery for the first ~~fifteen~~ one hundred thousand
11 dollars of bodily injury and no recovery for the first ~~twenty-five~~ one hundred
12 thousand dollars of property damage based on any cause or right of action arising out
13 of a motor vehicle accident, for such injury or damages occasioned by an owner or
14 operator of a motor vehicle involved in such accident who fails to own or maintain
15 compulsory motor vehicle liability security.

16 * * *

17 C. If the owner of a motor vehicle, who fails to own or maintain compulsory
18 motor vehicle liability security, institutes an action to recover damages in any
19 amount, regardless of whether such owner or operator is at fault, and is awarded an

1 amount equal to or less than ~~the minimum amount of compulsory motor vehicle~~
 2 ~~liability security~~ one hundred thousand dollars of bodily injury, then such owner or
 3 operator shall be assessed and held liable for all court costs incurred by all parties to
 4 the action.

5 * * *

6 F.(1) Notwithstanding any provision of law to the contrary, no insurer shall
 7 lose any rights of subrogation for claims paid under the applicable insurance policy
 8 for the recovery of any sum in excess of the first ~~fifteen~~ one hundred thousand
 9 dollars of bodily injury and the first ~~twenty-five~~ one hundred thousand dollars of
 10 property damages.

11 (2) In claims where no suit is filed, the claimant's insurer shall have all rights
 12 to recover any amount paid by the claimant's insurer on behalf of the insured for the
 13 recovery of any sum in excess of the first ~~fifteen~~ one hundred thousand dollars of
 14 bodily injury and the first ~~twenty-five~~ one hundred thousand dollars of property
 15 damages.

16 * * *

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 PRESIDENT OF THE SENATE

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____