

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 1117

2026 Regular Session

Firment

INSURANCE: Provides relative to certain insurer contractual payments and prescriptive period

Synopsis of Senate Amendments

1. Makes technical changes.
2. Prohibits an insurer's payment under the terms of its policy of insurance, instead of contract, classified and defined pursuant to present law from being considered as an acknowledgment of a debt or otherwise serve to extend the contractually defined prescriptive period which begins running at the inception of loss.
3. Requires an insurer to provide written notice to the claimant that the payment does not interrupt, suspend, or otherwise extend the prescription period applicable to the claim, if an insurer issues an unconditional payment on a claim filed under the dwelling coverage or other structures coverage of a homeowners' policy.

Digest of Bill as Finally Passed by Senate

Present law prohibits insurance contracts from containing any condition, stipulation, or agreement that limits a right of action against the insurer to a period of less than 24 months after the inception of the loss when the claim meets both of the following conditions:

- (1) Is a first-party claim, as defined in present law.
- (2) Arises under any of the following classifications of insurance, as defined in present law: burglary and forgery, fire and allied lines, steam boiler and sprinkler leakage, crop, marine and transportation, homeowners' insurance, or industrial fire.

Proposed law retains present law.

Proposed law provides that an insurer's payment under the terms of its policy of insurance classified and defined pursuant to R.S. 22:47(6), (10), (11), (12), (13), (15), and (19), for those specific types of insurance policies specified in present law, shall not be considered as the acknowledgment of a debt, nor does the payment interrupt prescription.

Present law further prohibits limiting a right of action against the insurer for a period of less than one year from the time when the cause of action accrues in connection with all other insurances unless otherwise specifically provided in present law.

Proposed law retains present law.

Proposed law provides that if an insurer issues an unconditional payment on a claim filed under the dwelling coverage or other structures coverage of a homeowners' policy, the insurer shall provide written notice to the claimant that the payment does not interrupt, suspend, or otherwise extend the prescription period applicable to the claim.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 22:868(B))