

Regular Session, 2014

HOUSE BILL NO. 566

BY REPRESENTATIVE SEABAUGH

EVIDENCE: Provides relative to evidence of liability insurance

1 AN ACT

2 To amend and reenact Code of Evidence Article 411, relative to evidence of liability
3 insurance; to prohibit the admissibility of evidence of the existence of a policy of
4 insurance in certain circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Evidence Article 411 is hereby amended and reenacted to read
7 as follows:

8 Art. 411. Liability insurance

9 ~~Although a policy of insurance may be admissible, the amount of coverage~~
10 ~~under the policy shall not be communicated to the jury unless the amount of~~
11 ~~coverage is a disputed issue which the jury will decide.~~ Evidence of the existence
12 of a policy of insurance shall not be admissible to a jury, directly or indirectly, in any
13 civil proceeding with respect to a claim for damages relative to the same injury for
14 which the policy of insurance is alleged to provide coverage, unless the existence of
15 a policy of insurance or the amount of coverage is a disputed issue which the jury
16 will decide.

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)]

Seabaugh

HB No. 566

Abstract: Prohibits the admissibility of evidence of the existence of an insurance policy in certain civil proceedings unless the existence of the policy or the amount of coverage is a disputed issue.

Present law prohibits the amount of coverage of a policy of insurance to be communicated to the jury unless the amount of coverage is a disputed issue.

Proposed law retains present law and prohibits evidence of the existence of a policy of insurance from being admissible unless the existence of the policy is a disputed issue.

(Amends C.E. Art. 411)