

Regular Session, 2011

HOUSE BILL NO. 275

BY REPRESENTATIVE BISHOP

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 22:867(C) and 873, relative to the methods of delivery of an
3 insurance policy or evidence of insurance; to provide for methods of transmitting
4 insurance policies and supporting documents; to provide for electronic transaction
5 of documents; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:867(C) and 873 are hereby amended and reenacted to read as
8 follows:

9 §867. Must contain entire contract with exceptions

10 * * *

11 C. Any written agreement in conflict with, modifying, or extending the
12 coverage of any contract of insurance shall be deemed to be physically made a part
13 of a policy or other written evidence of insurance, within the meaning of this Section,
14 whenever such written agreement makes reference to such policy or evidence of
15 insurance and is sent to the holder of such policy or evidence of insurance by United
16 States mail, postage prepaid, at such holder's last known address as shown on such
17 policy or evidence of insurance, by electronic transaction in accordance with the
18 Louisiana Uniform Electronic Transactions Act, R.S. 9:2601 et seq., or is personally
19 delivered to such holder.

20 * * *

21 §873. Delivery of policy

22 A. Subject to the insurer's requirements as to payment of premium, every
23 policy shall be delivered to the insured or to the person entitled thereto within a

1 reasonable period of time after its issuance. Delivery may be by the United States
 2 Postal Service, personal delivery, private courier, or by electronic transaction in
 3 accordance with the Louisiana Uniform Electronic Transactions Act, R.S. 9:2601 et
 4 seq.

5 B. In the event the original policy is delivered or is so required to be
 6 delivered to or for deposit with any vendor, mortgagee, or pledgee of any motor
 7 vehicle or aircraft, and in which policy any interest of the vendee, mortgagor, or
 8 pledgor in or with reference to such vehicle or aircraft is insured, a duplicate of such
 9 policy, or memorandum thereof setting forth the type of coverage, limits of liability,
 10 premiums for the respective coverages, and duration of the policy, shall be delivered
 11 by the vendor, mortgagee, or pledgee to each such vendee, mortgagor, or pledgor
 12 named in the policy or coming within the group of persons designated in the policy
 13 to be so included. Delivery may be by the United States Postal Service, personal
 14 delivery, private courier, or by electronic transaction in accordance with the
 15 Louisiana Uniform Electronic Transactions Act, R.S. 9:2601 et seq.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____