



THE CHESAPEAKE GROUP, LLC

A GOVERNMENTAL RELATIONS FIRM

Legislative Update 2024 Legislature, Regular Session Louisiana Motor Transport Association

House Floor:

HB 258 (Passed-Y:97/N:0) by Sylvia Taylor→The proposed bill reinforces existing law that prohibits insurers from raising automobile liability insurance premiums solely because a policyholder is 65 or older. It introduces a penalty of up to \$10,000 for each violation of this rule. Additionally, the bill amends the enforcement language to clarify that violations may also be subject to any penalty or regulatory action authorized by the commissioner under current law. The amendment modifies R.S. 22:1286 and includes updated language on enforcement authority.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1412662>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1411891>

HB 504 (Passed-Y:92/N:4) by Kim Coates→The proposed bill amends R.S. 40:1849(B) to increase the annual registration fee for permits required for tanker trucks transporting liquefied petroleum gas with a water capacity of 1,000 gallons or more. Under current law, the fee is set at \$50. The bill changes this fee to \$100 annually from August 1, 2025, through July 31, 2030, and increases it to \$150 annually thereafter. House committee amendments make a technical change, and House floor amendments specify the phased fee increase and finalize the amounts and effective dates.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1413734>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1411638>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1413593>

HB 635 (Passed-Y:98/N:1) by Dennis Bamburg→The proposed bill renames the “Captive Insurers Law” as the “Creating Holistic Options in Coverage for Enterprise and Self-Insurance (CHOICES) Law” and revises regulations for domestic captive insurance companies and affiliated entities. It updates definitions, allows new types of captive insurers, modifies capital and surplus requirements, and outlines incorporation, governance, and operational standards. The bill reduces capital thresholds for certain insurers, adds tax provisions, and establishes rules for redomestication, dormant companies, and affiliated reinsurance. Amendments include technical corrections, changes to terminology, and adjustments to the policy filing period from 30 to 45 days before use.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1414579>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1410080>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1412351>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1413767>

Senate Floor:

SB 61 (Passed-Y:39/N:0) by Jay Luneau→The proposed bill amends existing regulations on the use of credit information in personal insurance without altering core provisions. It maintains definitions for personal insurance types and keeps requirements for insurers to disclose their use of credit data. New provisions require insurers to provide consumers, at the time of the initial application or any renewal, a copy of the credit information obtained and used in underwriting. It also mandates that the insurance commissioner review filed scoring models for compliance. While preserving the classification of such filings as trade secrets, the bill primarily introduces technical changes and takes effect August 1, 2025.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1401950>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1412376>

House Insurance:

SB 111 (Favorably) by Alan Seabaugh→The proposed bill modifies existing insurance law by limiting when a cause of action for bad faith can be brought against an insurer. While current law establishes a duty of good faith and fair dealing, the bill specifies that no bad faith claim may arise in personal or bodily injury cases unless a third party has made a settlement offer within policy limits and allowed the insurer at least 30 days to respond. The bill removes language shielding insurers from liability solely due to policy compliance and takes effect August 1, 2025. Technical and clarifying amendments were adopted.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1411952>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1411952>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1411482>

House Transportation:

HB 616 (Substituted by HB 687) by Mark Wright→The proposed bill authorizes the Port of New Orleans to use public-private partnerships to develop the St. Bernard Transportation Corridor, connecting the Louisiana International Terminal to the interstate system. It grants the board of commissioners authority to construct, operate, and maintain the corridor, including elevated and limited-access sections. The law permits toll collection, utility relocation, property acquisition, and collaboration with local, state, and federal entities. It exempts related properties and revenues from taxation and allows the board to act independently of other public bodies.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1404586>

Senate Insurance:

HB 401 (Favorably) by Kellee Dickerson→The proposed bill maintains the commissioner of insurance's authority to assess fees on insurers' direct premiums but removes the requirement to reduce those fees based on excess funding of insurance fraud programs. It also eliminates the provision guaranteeing certain state entities the same funding in the following year if they used all their previous allocation. Additionally, it changes the handling of leftover funds in the Insurance Fraud Investigation Dedicated Fund Account by requiring unspent and uncommitted funds to remain in the account at the end of the fiscal year, instead of being refunded to insurers. The bill takes effect upon the governor's approval.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409688>

HB 437 (Favorably) by Gabe Firment→The proposed bill requires property insurance claimants to provide proof of deductible payment before receiving withheld depreciation or replacement cost holdback, using documents like canceled checks or financing agreements. It allows insurers to require proof of loss statements and mandates they provide and file these forms with the commissioner. Insurers must notify claimants within 10 business days if the form is complete. It clarifies that "five working days" means business days for rental vehicle claims and increases penalties for insurers who fail to timely pay or provide rental coverage, raising some penalties from \$1,000 to \$2,500.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407621>

HB 438 (Favorably) by Gabe Firment→Modifies the definition of "expenses" for insurance rate setting by excluding "institutional advertising expenses." These are advertising costs not directly related to acquiring business or informing consumers about insurance products. Starting January 1, 2026, insurers cannot use these expenses when determining whether their rates are excessive, inadequate, or discriminatory.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407578>

Senate Governmental Affairs:

SB 214 (Favorably as Amended) by Royce Duplessis→The proposed bill changes the Louisiana Commissioner of Insurance from an elected to an appointed position. The governor would appoint the commissioner, subject to Senate confirmation, for a six-year term (limit: two consecutive terms). A nominating committee of 16 members, including appointees from government, industry, and four consumer-focused organizations (added via Amendment No. 1), must recommend three qualified candidates. The bill outlines qualifications, ethics restrictions, and removal grounds. Amendment No. 3 sets the effective date as August 1, 2028, or the day after legislative approval if vetoed. The bill also removes the commissioner from certain election code provisions.

Read full provisions here:

<https://www.legis.la.gov/legis/ViewDocument.aspx?d=1404692>

Read adopted amendment here:

<https://www.legis.la.gov/legis/ViewDocument.aspx?d=1414759>

Senate Judiciary A:

HB 291 (Favorably as Amended) by Jay Galle→Provides relative to prescriptive periods for wrongful death and survival actions. This bill extends the time allowed to file survival and

wrongful death actions in Louisiana from one year to two years. It amends Civil Code Articles 2315.1 and 2315.2 to reflect the new two-year prescriptive period. Amendments make technical corrections and clarify that medical malpractice survival and wrongful death actions remain subject to R.S. 9:5628 or prescribe one year from the death of the deceased, respectively, rather than the longer two-year injury-based period that applies to other actions.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409159>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409031>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1408980>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1414063>

HB 431 (Favorably as Amended) by Emily Chenevert→The proposed bill changes Louisiana's pure comparative fault system to a modified comparative fault system with a 51% bar to recovery, effective January 1, 2026. Under the new system, if a plaintiff is found to be 51% or more at fault, they are barred from recovering damages. If the plaintiff's fault is less than 51%, their recoverable damages are reduced in proportion to their degree of fault. The bill enacts Civil Code Article 2323(D), which requires that juries be instructed on the effect of this fault allocation rule. Amendments provide technical changes and clarify the fault threshold.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409230>

Read adopted amendments here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407072>

<https://legis.la.gov/legis/ViewDocument.aspx?d=1414026>

HB 434 (Favorably as Amended) by Jason DeWitt→The proposed bill raises recovery limitations for uninsured drivers, increasing the no-recovery threshold from \$15,000 (bodily injury) and \$25,000 (property damage) to \$100,000. Uninsured drivers awarded damages up to this amount are responsible for court costs. Insurers retain subrogation rights for amounts exceeding \$100,000, regardless of whether a lawsuit is filed. House Committee Amendments clarify these subrogation rights and make technical changes. A new amendment exempts drivers from the recovery limitation if their lapse in coverage was 10 days or less and resulted from a payment timely mailed but not received.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405636>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1405605>

<https://www.legis.la.gov/legis/ViewDocument.aspx?d=1414130>

HB 436 (Favorably) by Gabe Firment→The proposed law prohibits unauthorized aliens from receiving general damages and compensation for past and future wages resulting from an automobile accident. It defines "unauthorized alien" as a person unlawfully present in the U.S. under the federal Immigration and Nationality Act. However, the law allows recovery of other special damages for unauthorized aliens involved in such accidents.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1406855>

HB 450 (Favorably) by Michael Melerine→Eliminates a presumption of causation of injuries in certain circumstances. The proposed bill aims to eliminate the ability of a claimant to prove damages by relying on presumptions such as prior good health, the persistence of injury after the incident, or a reasonable causal link. It requires claimants to affirmatively prove every element of their damages claim. The law applies prospectively, excludes workers' compensation cases, and is intended to overrule the *Housley v. Cerise* decision. House floor amendment provide clarification

that the lack of a prior history of an illness, injury, or condition shall not create a presumption that an illness, injury, or condition was caused by the act that is the subject of the claim.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1409211>

Read adopted amendment here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1407331>

SB 150 (Voluntarily Deferred) by Kirk Talbot→The proposed bill revises rules on recovering medical expenses in civil claims. It removes prior limitations that capped recoverable amounts based on what health insurers or Medicare paid and repeals formulas for awarding additional costs tied to procurement. Instead, it allows broader admissible evidence—such as billed and paid amounts, insurance premiums, and expert testimony—to determine fair recovery. The court may award up to 1.5 times the claimant's prior-year premiums. Restrictions on jury exposure to billing details are repealed. The changes apply prospectively starting January 1, 2026. Definitions of certain terms are also eliminated.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1404169>

SB 231 (Favorably as Amended) by Mike Reese→The proposed bill amends R.S. 9:2800.27 to revise provisions related to the recovery and admissibility of past medical expenses in civil cases. It updates definitions, clarifies what constitutes recoverable medical expenses, and permits evidence of both billed and paid amounts to assess the reasonableness of claims. It limits recoverable expenses in certain cases to amounts paid by insurers or owed to providers, with caps based on Medicare rates. It also addresses attorney-negotiated discounts, medical payments under auto insurance, and restricts jury access to certain evidence. The bill becomes effective January 1, 2026, and applies prospectively.

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1404726>

Read full provisions here:

<https://legis.la.gov/legis/ViewDocument.aspx?d=1414031>