

## **House Committee on Insurance**

Minutes of Meeting  
2023 Regular Session  
April 20, 2023

### **I. CALL TO ORDER**

Representative Mike Huval, chairman of the House Committee on Insurance, called the meeting to order at 9:34 a.m. in Room 2, in the state capitol in Baton Rouge, Louisiana.

### **II. ROLL CALL**

#### **MEMBERS PRESENT:**

Representative Mike Huval, chairman  
Representative Delisha Boyd  
Representative Chad Brown  
Representative Mary DuBuisson  
Representative Michael "Gabe" Firment  
Representative Lawrence "Larry" Frieman  
Representative Cedric B. Glover  
Representative Kyle M. Green, Jr.  
Representative Paul Hollis  
Representative John R. Illg, Jr.  
Representative Edmond Jordan, vice chairman  
Representative Sherman Q. Mack  
Representative Danny McCormick  
Representative Matthew Willard

#### **MEMBERS ABSENT:**

None

#### **STAFF MEMBERS PRESENT:**

Cydney Jones, legislative analyst  
Rashida Keith, attorney  
Alicia Powell, committee administrative assistant

#### **ADDITIONAL ATTENDEES PRESENT:**

Vivian Hurst, sergeant at arms

### III. DISCUSSION OF LEGISLATION

#### **House Bill No. 281 by Representative Garofalo**

Representative Garofalo presented House Bill No. 281, which provides relative to the Louisiana Automobile Theft and Insurance Fraud Prevention Authority.

Representative Huval offered a technical amendment. Representative Huval offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Frieman, Glover, Jordan, Mack, and McCormick voted yea.

Representative Huval offered amendments to:

- (1) Clarify the individuals who the La. Automobile Theft and Insurance Fraud Prevention Authority can monitor to combat fraud; and
- (2) Make technical changes.

Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Frieman, Glover, Jordan, Mack, McCormick, and Willard voted yea.

David Caldwell, Louisiana Department of Insurance (LDI), 1702 N. Third St., Baton Rouge, LA 70802, (225) 342-4673, spoke for information only on House Bill No. 281.

Nathan Strebeck, LDI, 1702 N. Third St., Baton Rouge, LA 70802, (225) 219-5819, spoke for information only on House Bill No. 281.

Tom Travis, LDI, 1702 N. Third St., Baton Rouge, LA 70802, (225) 342-2131, spoke for information only on House Bill No. 281.

Representative Mack offered a motion to report House Bill No. 281 with amendments. Without objection, House Bill No. 281 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Frieman, Glover, Illg, Jordan, Mack, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 1 in opposition and 1 for information only. Witness cards are included in the committee records.

**House Bill No. 309 by Representative Garofalo**

Representative Garofalo presented House Bill No. 309, which provides relative to fortified home and commercial standards.

Representative Huval offered a technical amendment. Representative Huval offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 11 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Frieman, Glover, Illg, Mack, McCormick, and Willard voted yea.

Representative Huval offered amendments to:

- (1) Require any insurer mandated to submit rates and rating plans to the commissioner of insurance to provide an actuarially justified discount, credit, rate differential, adjustment in deductible, or any other adjustment to reduce the insurance premium to insureds who build or retrofit a structure to comply with the requirements of the La. State Uniform Construction Code or the fortified home or fortified commercial standards created by the Insurance Institute for Business and Home Safety;
- (2) Remove the authorization of an insured who is currently receiving discounts pursuant to present law to opt to maintain discounts offered prior to July 1, 2022; and
- (3) Make technical changes.

Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Frieman, Glover, Illg, Mack, McCormick, and Willard voted yea.

Adam Patrick, designee on behalf of Commissioner Jim Donelon, LDI, 1702 N. Third St., Baton Rouge, LA 70802, (225) 342-5140, spoke in support of House Bill No. 309.

Tom Travis, LDI, 1702 N. Third St., Baton Rouge, LA 70802, (225) 342-2131, spoke for information only on House Bill No. 309.

Representative Firment offered a motion to report House Bill No. 309 with amendments. Without objection, House Bill No. 309 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Frieman, Glover, Illg, Jordan, Mack, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 4 in support. Witness cards are included in the committee records.

**House Bill No. 604 by Representative Garofalo**

Representative Garofalo presented House Bill No. 604, which provides for the appraisal process.

Representative Huval offered amendments to make technical changes. Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Frieman, Glover, Illg, Jordan, Mack, McCormick, and Willard voted yea.

Representative Huval offered amendments to:

- (1) Add the term "umpire" to ensure application to umpires in the application of present law fees;
- (2) Add to the present law appraisal clauses required for fire and residential property insurance policies;
- (3) Provide that an umpire be selected by the commissioner or a judge, if a lawsuit is filed;
- (4) Provide that the decision of the appraisers or an appraiser and an umpire is binding on the parties;
- (5) Require each party to pay his respective appraiser's fees and pay half of the reasonable costs for an umpire's fees and expenses;
- (6) Authorize an appraiser to request the commissioner to select an umpire;
- (7) Require the requesting appraiser to submit to the commissioner of insurance the insurer's itemized estimate and a statement of payments to date;
- (8) Prohibit a person from acting as an appraiser or an umpire if the person is related to a current employee of a law firm handling property damage litigation;
- (9) Require engineers, architects, adjusters, public adjusters, and general contractors who wish to qualify as appraisers or umpires to have at least three years of training and experience;
- (10) Require an attorney licensed in Louisiana, who wishes to qualify as an umpire, to have experience in first-party property litigation;

- (11) Change the time frame in which a party or appraiser may object to an umpire for good cause from three days to 10 days;
- (12) Authorize a party or appraiser to send his objection of an umpire to the judge when the claim is pending litigation; and
- (13) Make technical changes.

Representative Huval offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Frieman, Glover, Hollis, Illg, Jordan, Mack, McCormick, and Willard voted yea.

Adam Patrick, designee on behalf of Commissioner Jim Donelon, LDI, 1702 N. Third St., Baton Rouge, LA 70802, (225) 342-5140, spoke in support of House Bill No. 604.

David Caldwell, LDI, 1702 N. Third St., Baton Rouge, LA 70802, (225) 342-4673, spoke for information only on House Bill No. 604.

Matthew Stewart, LDI, 1702 N. Third St., Baton Rouge, LA 70802, (225) 219-5941, spoke for information only on House Bill No. 604.

Matthew Monson, 5 Sanctuary Blvd., Suite 101, Mandeville, LA 70471, (504) 289-4939, spoke in support of House Bill No. 604.

Representative Boyd offered a motion to voluntarily defer action on House Bill No. 604. Without objection, action on House Bill No. 604 was voluntarily deferred by a vote of 13 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Frieman, Glover, Green, Hollis, Jordan, Mack, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support, 4 in opposition, and 1 for information only. Witness cards are included in the committee records.

***Further action was taken by the committee on House Bill No. 604 on May 2, 2023 and May 10, 2023. Please check for the subsequent actions to complete the record of discussions and motions on House Bill No. 604.***

#### **House Bill No. 113 by Representative White**

On behalf of Representative White, Representative Willard presented House Bill No. 113, which provides relative to volunteer board members of certain interlocal risk management agencies.

Bobby Collins, Shreveport Housing Authority, 2500 Line Ave, Shreveport, LA 71104, Shreveport, LA 71104, (318) 698-3640, spoke in support of House Bill No. 113.

Mary-Patricia Wray, Louisiana Housing Council, 2360 Tulip St., Baton Rouge, LA 70806, (225) 395-9961, spoke in support of House Bill No. 113.

*Vice Chairman Jordan in the chair.*

Matthew Stewart, LDI, 1702 N. Third St., Baton Rouge, LA 70802, (225) 219-5941, spoke for information only on House Bill No. 113.

*Chairman Huval in the chair.*

Representative Willard offered a motion to report House Bill No. 113 favorably. Without objection, House Bill No. 113 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Frieman, Glover, Green, Jordan, Mack, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

### **House Bill No. 294 by Representative Willard**

Representative Willard presented House Bill No. 294, which provides for certain insurance premium discounts.

Representative Willard offered a technical amendment. Representative Willard offered a motion to adopt the proposed amendment. Without objection, the amendment was adopted by a vote of 10 yeas and 0 nays. Representatives Huval, Brown, DuBuisson, Firment, Frieman, Glover, Green, Mack, McCormick, and Willard voted yea.

Representative Willard offered amendments to:

- (1) Remove the authorization of an insured who is already receiving discounts to opt to maintain those discounts in lieu of the discounts provided in present law, if the property continues to meet the requirements for such discounts; and
- (2) Make technical changes.

Representative Willard offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Huval, Brown, DuBuisson, Firment, Frieman, Glover, Green, Mack, McCormick, and Willard voted yea.

Adam Patrick, designee on behalf of Commissioner Jim Donelon, LDI, 1702 N. Third St., Baton Rouge, LA 70802, (225) 342-5140, spoke in support of House Bill No. 294.

Representative Willard offered a motion to report House Bill No. 294 with amendments. Without objection, House Bill No. 294 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Frieman, Glover, Green, Jordan, Mack, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 7 in support. Witness cards are included in the committee records.

### **House Bill No. 287 by Representative Cormier**

Representative Cormier presented House Bill No. 287, which provides relative to insurance adjusters and property inspections.

Representative Cormier provided a handout, Exhibit A, which is included in the committee records.

Representative Firment offered amendments to:

- (1) Remove the requirement that an insurer provide the initial copy of the insurer's field adjuster's report; and
- (2) Require the insurer to provide a copy of the initial itemized repair estimate of undisputed covered damages.

Nathan Strebeck, LDI, 1702 N. Third St., Baton Rouge, LA 70802, (225) 219-5819, spoke for information only on House Bill No. 287.

After discussion, Representative Firment withdrew the amendments.

Representative Jordan offered an amendment to:

- (1) Delete proposed law to include a provision from the policyholder bill of rights as provided for in present law (R.S. 22:41(14)), relative to first-party property damage claims.

Representative Jordan offered a motion to voluntarily defer action on House Bill No. 287. Without objection, action on House Bill No. 287 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Frieman, Glover, Green, Jordan, Mack, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 2 in support, 12 in opposition, and 1 for information only. Witness cards are included in the committee records.

***Further action was taken by the committee on House Bill No. 287 on May 31, 2023. Please check for the subsequent action to complete the record of discussion and motions on House Bill No. 287.***

### **House Bill No. 110 by Representative Fiment**

Representative Fiment presented House Bill No. 110, which provides relative to fortified roof endorsements.

Representative Fiment offered amendments to make technical changes. Representative Fiment offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 9 yeas and 0 nays. Representatives Huval, Boyd, Brown, Fiment, Frieman, Glover, Jordan, Mack, and McCormick voted yea.

Representative Fiment offered a motion to report House Bill No. 110 with amendments. Without objection, House Bill No. 110 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Fiment, Frieman, Glover, Green, Jordan, Mack, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support and 1 for information only. Witness cards are included in the committee records.

### **House Bill No. 183 by Representative Fiment**

Representative Fiment presented House Bill No. 183, which prohibits the assignment of certain benefits.

Representative Fiment offered amendments to make technical changes. Representative Fiment offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Fiment, Glover, Green, Jordan, Mack, McCormick, and Willard voted yea.

Representative Fiment offered amendments to:

- (1) Expand the exemptions to the prohibition of the assignment of post-loss insurance benefits; and
- (2) Make technical changes.



Representative Firment offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Glover, Green, Jordan, Mack, McCormick, and Willard voted yea.

Matthew Monson, 5 Sanctuary Blvd., Suite 101, Mandeville, LA 70471, (504) 289-4939, spoke in support of House Bill No. 183.

Representative Firment offered a motion to report House Bill No. 183 with amendments. Without objection, House Bill No. 183 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Frieman, Glover, Green, Jordan, Mack, McCormick, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 15 in support, 1 in opposition, and 1 for information only. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in support. Copies of these statements are included in the committee records.

#### **IV. OTHER BUSINESS**

The minutes from the 2022 Regular Session dated March 23, April 6, April 12, April 13, April 19, April 27, May 3, May 4, May 11, May 17, and May 24 were presented to the committee for approval. Representative Boyd offered a motion to approve the minutes. Without objection, the motion passed by a vote of 9 yeas and 0 nays. Representatives Huval, Boyd, Brown, DuBuisson, Firment, Frieman, Glover, Jordan, and Willard voted yea.

#### **V. ANNOUNCEMENTS**

There were no announcements.

#### **VI. ADJOURNMENT**

The meeting was adjourned at 12:58 p.m.

Respectfully submitted,

Chairman Mike Huval  
House Committee on Insurance

Date adopted: