

2022 Regular Session

HOUSE BILL NO. 118

BY REPRESENTATIVE FIRMENT

INSURANCE: Provides for the members of the Louisiana Property and Casualty Insurance Commission and its ad hoc committees

1 AN ACT

2 To amend and reenact R.S. 22:2171(D) and (H) through (L) and to enact R.S.
3 22:2171(C)(23) through (26) and (M), relative to the Louisiana Property and
4 Casualty Insurance Commission; to provide for the members of the commission; to
5 create an ad hoc committee under the commission to study catastrophe property
6 claims; to provide for the members of the ad hoc committee to study catastrophe
7 property claims; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 22:2171(D) and (H) through (L) are hereby amended and reenacted
10 and R.S. 22:2171(C)(23) through (26) and (M) are hereby enacted to read as follows:

11 §2171. Louisiana Property and Casualty Insurance Commission

12 * * *

13 C. The commission shall consist of the following members:

14 * * *

15 (23) A representative of the Louisiana Claims Association.

16 (24) A representative of the National Association of Independent Insurance

17 Adjusters.

18 (25) A representative of the American Adjuster Association.

19 (26) A representative of the American Policyholder Association.

1 D. The commission shall consist of ad hoc committees to study property and
 2 casualty insurance, including but not limited to the areas of automobile insurance,
 3 homeowners insurance, ~~and workers' compensation insurance,~~ and catastrophe
 4 property claims. The commissioner of insurance shall appoint a chairperson and a
 5 vice chairperson for the commission and a chairperson and vice chairperson for each
 6 ad hoc committee.

7 * * *

8 H. The catastrophe property claims ad hoc committee shall consist of the
 9 following members:

10 (1) The governor or his designee.

11 (2) The commissioner of insurance or his designee.

12 (3) Two members of the Senate Committee on Insurance selected by its
 13 chairman.

14 (4) Two members of the House Committee on Insurance selected by its
 15 chairman.

16 (5) A representative of the Independent Insurance Agents & Brokers of
 17 Louisiana.

18 (6) A representative of the National Association of Mutual Insurance
 19 Companies.

20 (7) One consumer representative selected by the speaker of the House of
 21 Representatives.

22 (8) One consumer representative selected by the president of the Senate.

23 (9) A representative of the Louisiana Claims Association.

24 (10) A representative of the National Association of Independent Insurance
 25 Adjusters.

26 (11) A representative of the American Adjuster Association.

27 (12) A representative of the American Policyholder Association.

28 I. The members of the commission shall serve without compensation, and
 29 their terms shall be for two years.

1 ~~J.~~ J. Any vacancies on the commission shall be filled in the same manner as
2 the original appointments for the unexpired portion of the term of the vacated
3 appointment.

4 ~~J.~~ K. A majority of the members of the commission shall constitute a quorum
5 for the transaction of business. A majority of the members of an ad hoc committee
6 shall constitute a quorum for the transaction of business of the ad hoc committee.
7 All official actions of the commission or any ad hoc committee shall require the
8 affirmative vote of a majority of the members of the commission or ad hoc
9 committee present and voting during meetings of the commission or ad hoc
10 committee. The commission shall meet twice annually in any one calendar year and
11 the ad hoc committees may meet on the call of the chairperson of the commission or
12 of the ad hoc committee, or upon the request of any three members of the ad hoc
13 committee.

14 ~~K.(1)~~ L.(1) The commission shall submit to the governor, the Louisiana
15 Legislature, and the commissioner of insurance on an annual basis prior to the
16 convening of each regular legislative session an annual report on their actions,
17 studies, findings, and recommendations of those laws and projects affecting property
18 and casualty insurance.

19 (2)(a) The commission shall conduct all meetings and hearings, in
20 accordance with R.S. 42:11 et seq., to receive testimony about that information it is
21 charged with gathering. The commission shall also be permitted to receive further
22 information and testimony from regional and national experts on insurance rating
23 issues. The commission shall study ways to give incentives to those communities
24 that have a greater enforcement rate over laws that directly or indirectly affect
25 insurance rates in that community and state.

26 (b) All state and local agencies and political subdivisions shall cooperate
27 with the commission and assist it in the gathering of information when requested.
28 All materials in the possession or control of the commission or its employees shall
29 be considered public records pursuant to R.S. 44:1 et seq.

1 ~~E. M.~~ The commissioner of insurance shall appoint a director and an
2 assistant director with the consent of the Senate who shall serve at the pleasure of the
3 commissioner. The commissioner of insurance may also employ such persons,
4 including two unclassified employees, as necessary to carry out the provisions of this
5 Section and may establish the compensation of technical, professional, and clerical
6 employees as needed for the commission to accomplish its work. Any such
7 employee shall be compensated from the budget of the commissioner. All of the
8 employees of the commission shall be under the direction and supervision of the
9 commissioner of insurance.

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)]

HB 118 Original

2022 Regular Session

Firmen

Abstract: Provides for the members of the La. Property and Casualty Insurance Commission and its ad hoc committees.

Present law provides for the members who serve on the La. Property and Casualty Insurance Commission (commission).

Proposed law retains present law and adds the following members to the commission:

- (1) A representative of the La. Claims Association.
- (2) A representative of the National Association of Independent Insurance Adjusters.
- (3) A representative of the American Adjuster Association.
- (4) A representative of the American Policyholder Association.

Proposed law creates an ad hoc committee under the commission to study catastrophe property claims.

Proposed law provides that the ad hoc committee to study catastrophe property claims shall consist of the following members:

- (1) The governor or his designee.
- (2) The commissioner of insurance or his designee.
- (3) Two members of the Senate Committee on Insurance selected by its chairman.
- (4) Two members of the House Committee on Insurance selected by its chairman.
- (5) A representative of the Independent Insurance Agents & Brokers of La.

- (6) A representative of the National Association of Mutual Insurance Companies.
- (7) One consumer representative selected by the speaker of the House of Representatives.
- (8) One consumer representative selected by the president of the Senate.
- (9) A representative of the La. Claims Association.
- (10) A representative of the National Association of Independent Insurance Adjusters.
- (11) A representative of the American Adjuster Association.
- (12) A representative of the American Policyholder Association.

Proposed law makes technical changes.

(Amends R.S. 22:2171(D) and (H)-(L); Adds R.S. 22:2171(C)(23)-(26) and (M))