
DIGEST

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HB 248 Reengrossed

2025 Regular Session

Wilder

Abstract: Provides for the commissioner of insurance's determination of confidential, trade secret, or proprietary information relative to public inspection.

Present law provides for public inspection of all rates, supplementary rate information, and any supporting information upon expiration of the notification periods provided for in present law (R.S. 22:1451), or upon rate disapproval by the commissioner of insurance (commissioner), except for information deemed confidential, trade secret, or proprietary by the insurer or filer.

Proposed law modifies present law to require the commissioner to determine whether information submitted by an insurer or filer is confidential, trade secret, or proprietary. Further requires the commissioner to notify the insurer or filer when a request is made for such information and to include in the notice a determination of whether the information is subject to public disclosure.

Proposed law authorizes the insurer or filer to request a hearing before the division of administrative law within 10 days of receipt of the commissioner's notice.

Proposed law provides that the commissioner's determination is stayed if a hearing is requested. Requires that such hearings be conducted by preference and in a summary manner. Authorizes the reviewing court to examine the disputed documents in camera prior to rendering a decision.

Proposed law does not prohibit public examination or reproduction of records or parts of records that are not determined to be confidential, trade secret, or proprietary.

(Amends R.S. 22:1464(D))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the original bill:

1. Make a technical change to the title to include duties and responsibilities of the commissioner of insurance.

The House Floor Amendments to the engrossed bill:

1. Require the commissioner to determine if information submitted by an insurer or filer is confidential, a trade secret, or proprietary, and to notify the insurer or filer when a request

is made for such information and include whether the information is subject to disclosure.

2. Authorize the filer to request a hearing before the division of administrative law within 10 days of receipt of notice. Require a stay of the commissioner's determination if a hearing is requested, with hearings to be conducted in preference and summarily.
3. Authorize in-camera review of documents by the court.
4. Authorize public examination or reproduction of records that are not confidential, trade secret, or proprietary.