

CONFERENCE COMMITTEE REPORT

HB 489

2023 Regular Session

Huval

June 8, 2023

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 489 by Representative Huval, recommend the following concerning the Engrossed bill:

1. That Senate Committee Amendments Nos. 1 through 3 and 5 and 6 by the Senate Committee on Insurance (#2150) be adopted.
2. That Senate Legislative Bureau Amendment No. 1 (#2258) be adopted.
3. That Senate Legislative Bureau Amendment No. 3 (#2258) be adopted.
4. That the following amendments be adopted:

AMENDMENT NO. 1

In Senate Committee Amendment No. 4 by the Senate Committee on Insurance (#2150), on page 1, line 37, change "Subsection B" to "Subsection C"

AMENDMENT NO. 2

In Senate Legislative Bureau Amendment No. 2 (#2258), on page 1, line 6, change "No. 2" to "No. 4"

Respectfully submitted,

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Representative Mike Huval

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Senator Kirk Talbot

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Representative John R. Illg, Jr.

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Senator Robert Mills

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Representative Michael "Gabe" Firment

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Senator Joseph Bouie Jr.

**CONFERENCE COMMITTEE REPORT DIGEST**

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**Keyword and onliner of the instrument as it left the House**

INSURANCE: Provides relative to ratemaking systems utilized by insurers and rate service organizations

**Report adopts Senate amendments to:**

1. Delete present and proposed law to provide that a rate filed by an insurer is deemed approved by the commissioner of insurance unless the commissioner affirmatively approves or disapproves the filing within the 45-day waiting period prescribed in present law.
2. Prohibit the commissioner from disapproving a filing that is in compliance with present law on the basis of time that has elapsed since the commissioner's most recent rate approval.
3. Make technical changes.

**Report rejects Senate amendments which would have:**

1. Made incorrect statutory and technical references.

**Report amends the bill to:**

1. Provide accurate statutory and technical references.

**Digest of the bill as proposed by the Conference Committee**

Present law provides that, upon written application by an insurer or rate organization, the commissioner of insurance (commissioner) may authorize a filing that has been reviewed to become effective before expiration of the 45-day waiting period prescribed in present law.

Proposed law retains present law.

Present law provides that a rate filing is deemed to meet the requirements of present law unless disapproved in writing by the commissioner within the 45-day waiting period.

Proposed law retains present law but further provides that a rate filing is deemed approved by the commissioner unless the commissioner affirmatively approves or disapproves the filing within the 45-day waiting period. Provides that the commissioner's approval of a rate filing waives any unexpired portion of the 45-day waiting period.

Present law authorizes an insurer or rating organization to commence with use of filed rates upon expiration of 45 days from the date of the commissioner's receipt of the rate, unless the commissioner provided notice of an incomplete or disapproved rate filing.

Proposed law retains present law, but removes the exception relative to incomplete rate filings.

Proposed law prohibits the commissioner from disapproving a rate filing that is in compliance with present law on the basis of time that has elapsed since the commissioner's most recent rate approval.

(Amends R.S. 22:1451(C); Adds R.S. 22:1451(G))