

2024 Regular Session

SENATE BILL NO. 484

BY SENATOR DUPLESSIS

PROPERTY INSURANCE. Provides for changes to the Louisiana Fortify Homes Program.  
(gov sig)

1 AN ACT

2 To amend and reenact R.S. 22:1483.1(A) and (C) and R.S. 44:4.1(B)(11), to enact R.S.  
3 22:1483.1(B)(5) and (E)(3) and 1892.3, and to repeal R.S. 22:1483.1(F), relative to  
4 the Louisiana Fortify Homes Program; to provide the commissioner of insurance  
5 may apply for grants or other funding, if available; to provide the commissioner of  
6 insurance may enter into certain agreements with public agencies and private  
7 entities; to require the grantee to submit to random reinspections; to provide certain  
8 information and records are confidential; to provide for an effective date; to repeal  
9 the termination date; to provide for an actuarial study; to provide for an effective  
10 date; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 22:1483.1(A) and (C) are hereby amended and reenacted and R.S.  
13 22:1483.1(B)(5) and (E)(3) and 1892.3 are hereby enacted to read as follows:

14 §1483.1. Louisiana Fortify Homes Program

15 A.(1) The Louisiana Fortify Homes Program is hereby created within the  
16 department. The commissioner, as program administrator, may make financial grants  
17 to retrofit roofs of insurable property, as defined in R.S. 22:1483(~~C~~)(9), with a

1 homestead exemption to resist loss due to hurricane, tornado, or other catastrophic  
2 windstorm events and to meet or exceed the "fortified roof" standard of the Insurance  
3 Institute for Business and Home Safety. The commissioner shall promulgate rules  
4 **and regulations governing to govern the** eligibility requirements for grants and the  
5 administration of the program.

6 **(2) The commissioner may apply for grants or funds from the federal**  
7 **government or other funding sources to supplement the funds appropriated by**  
8 **the legislature. The commissioner may use grant funds to pay for inspections for**  
9 **grant applicants subject to the terms of the grant.**

10 **(3) The commissioner may enter into a cooperative endeavor agreement**  
11 **with public agencies and private entities for projects pursuant to this Section.**  
12 **A cooperative endeavor partner may administer grants or funds in the manner**  
13 **required by the cooperative endeavor agreement.**

14 **(4) The department shall design an equivalent discount program for the**  
15 **Louisiana wind mitigation inspection certificate.**

16 **(5) In order to ensure that state or federal monies are used in as an**  
17 **effective manner as possible for the Louisiana Fortify Homes Program and to**  
18 **ensure a maximum rate of return on invested state dollars, the department shall**  
19 **perform the following duties:**

20 **(a) By July first of each calendar year, the department shall publish on**  
21 **its website or other publicly accessible platform a list of all discounts that**  
22 **insurers filed and were approved by the commissioner. The department shall**  
23 **also submit a copy of the report to the David R. Poynter Legislative Research**  
24 **Library as required by R.S. 24:771 and 772.**

25 **(b) On January 1, 2025, and January first every other proceeding year,**  
26 **the commissioner shall release to insurers a list of actuarially sound**  
27 **recommendations by the Insurance Institute for Business and Home Safety for**  
28 **the Louisiana Fortify Homes Program and any discounts for insurers that are**  
29 **unable to produce their own actuarial data. The department shall ensure that**

1 the report required by this Section is made publicly available on the website of  
 2 the department or other publicly accessible platform. The department shall also  
 3 submit a copy of the report to the David R. Poynter Legislative Research  
 4 Library as required by R.S. 24:771 and 772.

5 B. In order to receive a grant pursuant to this Section, the grantee shall do all  
 6 of the following:

7 \* \* \*

8 **(5) Submit to random reinspection of the retrofitted insurable property.**

9 C.(1) The name of a recipient of a grant received pursuant to this Section, the  
 10 amount of the grant, and the municipal address of the retrofitted insurable property  
 11 shall be a public record.

12 **(2) All information and records received pursuant to this Section other**  
 13 **than those listed in Paragraph (1) of this Subsection shall be deemed**  
 14 **confidential and exempt from disclosure pursuant to the Public Records Law,**  
 15 **R.S. 44:1 et seq. Nothing in this Subsection shall prevent the use of such**  
 16 **information or records for the compilation of statistical data wherein the**  
 17 **identity of the applicant, grantee, evaluator, or contractor is not disclosed.**

18 \* \* \*

19 E. This Section does not create any of the following:

20 \* \* \*

21 **(3) A guarantee, warranty, or surety on the part of the state for the**  
 22 **performance of any obligation undertaken by an applicant, evaluator, or**  
 23 **contractor.**

24 \* \* \*

25 **§1892.3. Discounts; actuarial study**

26 **A. Subject to a sufficient appropriation by the legislature, the**  
 27 **department shall conduct an actuarial study to determine the range of discounts**  
 28 **that would be actuarially justified for a structure that meets the fortified home**  
 29 **building standards promulgated by the Insurance Institute for Business and**

1        Home Safety. At any time the department does not receive sufficient  
 2        appropriation from the legislature to conduct a third-party actuarial study  
 3        required by this Section, the department shall conduct an actuarial study  
 4        utilizing the department's actuarial staff.

5                B. By July first of each calender year, the commissioner shall produce  
 6        a report of the findings of the study required pursuant to this Section. The  
 7        department shall ensure that the report required by this Section is made  
 8        publicly available on the website of the department or other publicly accessible  
 9        platform. The department shall also submit a copy of the report to the David R.  
 10        Poynter Legislative Research Library as required by R.S. 24:771 and 772.

11        Section 2. R.S. 44:4.1(B)(11) is hereby amended and reenacted to read as follows:

12        §4.1. Exceptions

13                                \*        \*        \*

14                B. The legislature further recognizes that there exist exceptions, exemptions,  
 15        and limitations to the laws pertaining to public records throughout the revised  
 16        statutes and codes of this state. Therefore, the following exceptions, exemptions, and  
 17        limitations are hereby continued in effect by incorporation into this Chapter by  
 18        citation:

19                                \*        \*        \*

20                (11) R.S. 22:2, 14, 31, 42.1, 88, 244, 263, 265, 461, 550.7, 571, 572, 572.1,  
 21        572.2, 574, 601.3, 618, 639, 691.4, 691.5, 691.6, 691.7, 691.8, 691.9, 691.9.1,  
 22        691.10, 691.38, 691.56, 732, 752, 753, 771, 834, 972(D), 976, 1008, 1019.2, 1203,  
 23        1460, 1464, 1466, **1483.1**, 1488, 1546, 1559, 1566(D), 1644, 1656, 1657.1, 1660.7,  
 24        1723, 1796, 1801, 1808.3, 1927, 1929, 1983, 1984, 2036, 2045, 2056, 2085, 2091,  
 25        2293, 2303, 2508

26                                \*        \*        \*

27        Section 3. R.S. 22:1483.1(F) is hereby repealed in its entirety.

28        Section 4. This Act shall become effective upon signature by the governor or, if not  
 29        signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
3 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Beth O'Quin.

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## DIGEST

SB 484 Reengrossed

2024 Regular Session

Duplessis

Present law authorizes the commissioner of insurance (commissioner) to provide financial grants to retrofit roofs for insurable properties that have a homestead exemption to provide a fortified roof that meets or exceeds the fortified roof standard of the Insurance Institute for Business and Home Safety.

Present law requires the commissioner to adopt rules and regulations to govern the eligibility requirements for grants and the administration of the program.

Proposed law retains present law and adds the commissioner is required to promulgate rules and regulations when it is necessary for the proper administration of the La. Fortified Homes Roof Program.

Proposed law authorizes the commissioner to apply for grants or funds from the federal government or other funding sources, if available.

Proposed law authorizes the commissioner to enter into a cooperative endeavor agreement with public agencies and private entities for certain projects pursuant to proposed law.

Proposed law requires the department to create a discount program for wind mitigation.

Proposed law requires the department to provide certain reports to ensure a maximum rate of return on investments received for the La. Fortify Homes Program.

Present law requires a grantee receiving a grant do all of the following:

- (1) Obtain all permits required by law or ordinance for construction.
- (2) Arrange and pay for inspections required by law or ordinance and the terms of the grant, which includes inspection pursuant to present law.
- (3) Complies with applicable building codes.
- (4) Maintain records as required by present law and the terms of the grant.

Proposed law retains present law but adds a requirement that the grantee submit to random reinspections of his retrofitted insurable property.

Proposed law requires insurable property meet certain building requirements.

Present law provides the provisions of the La. Fortify Homes Roof Program terminate at midnight on June 30, 2025.

Proposed law repeals present law.

Proposed law provides for an actuarial study to determine whether certain discounts would be actuarially justified for a structure that meets certain standards and for the department to publish such findings by July first of each calendar year. Authorizes the use of a third party to conduct the actuarial study if funding is available.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 22:1483.1(A) and (C) and R.S. 44:4.1(B)(11); adds R.S.22:1483.1(B)(5) and (E)(3) and 1892.3; repeals R.S. 22:1483.1(F))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the original bill

1. Makes technical change.
2. Provides the commissioner may apply for grants or other funds.
3. Provides the commissioner may enter into certain agreements with public agencies and private entities for certain projects.
4. Provides for a discount program for the La. wind mitigation inspection certificate.
5. Provides certain information and records are confidential.
6. Deletes proposed law relative to submission of rates and rating plans.
7. Deletes proposed law relative to insurers providing certain discounts or rate reductions.

Senate Floor Amendments to engrossed bill

1. Adds requirement that the department create a discount program for wind mitigation.
2. Adds requirement that the department provide certain reports to ensure a maximum rate of return on investments received for the La. Fortify Homes Program.
3. Adds requirement that the department conduct an actuarial study regarding certain discounts with a third-party, contingent on funding.
4. Adds requirement for the department to publish the findings of the actuarial study by July first each calendar year.
5. Makes technical changes.