

SENATE BILL NO. 484

BY SENATOR DUPLESSIS AND REPRESENTATIVE CHASSION

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 1483.3, 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 repeal the termination date; to provide
9 for an actuarial study; to provide for an effective date; and to provide for related
10 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 1483.3 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
18 homestead exemption to resist loss due to hurricane, tornado, or other catastrophic
19 windstorm events and to meet or exceed the "fortified roof" standard of the Insurance
20 Institute for Business and Home Safety. The commissioner shall promulgate rules
21 **and regulations governing to govern the** eligibility requirements for grants and the
22 administration of the program.

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

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

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

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

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

16 * * *

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

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

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

27 * * *

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

29 * * *

30 **(3) A guarantee, warranty, or surety on the part of the state for the**

1 performance of any obligation undertaken by an applicant, evaluator, or
2 contractor.

3 * * *

4 §1483.3. Discounts; actuarial study

5 A. Subject to a sufficient appropriation by the legislature, the
6 department shall conduct an actuarial study to determine the range of discounts
7 that would be actuarially justified for a structure that meets the fortified home
8 building standards promulgated by the Insurance Institute for Business and
9 Home Safety. At any time the department does not receive sufficient
10 appropriation from the legislature to conduct a third-party actuarial study
11 required by this Section, the department may conduct an actuarial study
12 utilizing the department's actuarial staff.

13 B. If the department conducts an actuarial study, the commissioner shall
14 produce a report of the findings of the study. The department shall ensure that
15 the report is made publicly available on the website of the department or other
16 publicly accessible platform. The department shall also submit a copy of the
17 report to the David R. Poynter Legislative Research Library as required by R.S.
18 24:771 and 772.

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

20 §4.1. Exceptions

21 * * *

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

27 * * *

28 (11) R.S. 22:2, 14, 31, 42.1, 88, 244, 263, 265, 461, 550.7, 571, 572, 572.1,
29 572.2, 574, 601.3, 618, 639, 691.4, 691.5, 691.6, 691.7, 691.8, 691.9, 691.9.1,
30 691.10, 691.38, 691.56, 732, 752, 753, 771, 834, 972(D), 976, 1008, 1019.2, 1203,

1 1460, 1464, 1466, 1483.1, 1488, 1546, 1559, 1566(D), 1644, 1656, 1657.1, 1660.7,
2 1723, 1796, 1801, 1808.3, 1927, 1929, 1983, 1984, 2036, 2045, 2056, 2085, 2091,
3 2293, 2303, 2508

4 * * *

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

6 Section 4. This Act shall become effective upon signature by the governor or, if not
7 signed by the governor, upon expiration of the time for bills to become law without signature
8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
9 vetoed by the governor and subsequently approved by the legislature, this Act shall become
10 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____