

1 commissioner may deny authorization or impose any limitations on the activities of
2 a ~~reinsurance~~ **such reinsurer**, pool, exchange or association that, in his judgment,
3 are necessary and proper to provide adequate security for the ceding captive insurer
4 and for the protection and benefit of the general public.

5 Section 2. This Act shall become effective upon signature by the governor or, if not
6 signed by the governor, upon expiration of the time for bills to become law without signature
7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
9 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Thomas L. Tyler.

DIGEST

Walsworth (SB 120)

Proposed law retains present law that prohibits a captive insurer from providing reinsurance on risks ceded by any other insurer without written approval from the commissioner of insurance. Further retains authority for a captive insurer to take credit for reserves on risks or portion of risks ceded to a reinsurer in compliance with the solvency and reporting requirements for reinsurance.

Present law authorizes a captive insurer to take a credit for reserves on risks or portions of risks ceded to a pool, an exchange or an association acting as a reinsurer.

Proposed law provides that, subject to approval by the commissioner, a captive insurer may take credit for reserves on risks or portions of risks ceded to a reinsurer or to a pool, exchange or association acting as a reinsurer which does not comply with the requirements of present law regarding reinsurance and credits for reserves on risks in certain circumstances.

Present law authorizes the commissioner to require documents or information necessary to show that the entity will be able to provide adequate security for its financial obligations and allows him to impose limitations on the activities of the entity deemed necessary and proper to provide adequate security for the ceding captive insurer and for the protection and benefit of the general public. Proposed law retains these provisions relative to a pool, exchange or association acting as a reinsurer but also applies them to a reinsurer.

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

(Amends R.S. 22:550.17(C))