

2015 Regular Session

HOUSE BILL NO. 256

BY REPRESENTATIVE POPE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS/BOARDS: Provides relative to certain interlocal risk management agencies

1 AN ACT

2 To amend and reenact R.S. 33:1342(1), 1343(B) and (F), and 1344, relative to the joint self
3 insurance programs created by local governmental subdivisions; to authorize the
4 Louisiana School Board Association to act on behalf of local public school systems
5 as an administrator of an interlocal risk management agency; to authorize the
6 Louisiana School Board Association to participate as a member of such agency; to
7 provide definitions; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 33:1342(1), 1343(B) and (F), and 1344 are hereby amended and
10 reenacted to read as follows:

11 §1342. Definitions; terms defined

12 The following words and terms shall have the meaning indicated unless the
13 context shall clearly indicate a different meaning.

14 (1) "Local governmental subdivision" means any parish or municipality,
15 other governing or administrative body created under the charter of, or by the
16 governing body of, such parish or municipality to serve a public purpose, or other
17 local governing or administrative body created by or pursuant to law or the
18 Constitution of Louisiana to serve a public purpose. For purposes of this Subpart
19 only, this term also means the offices of the various clerks of court and district public
20 defender offices established in accordance with R.S. 15:141 et seq. ~~and~~ the members

1 of a trust established by a statewide hospital association for the purposes of
2 providing employers' liability or workers' compensation coverage for its members,
3 provided the majority of the members of such trust consists of governmental
4 subdivisions, and any city, parish, or other local public school system.

5 * * *

6 §1343. Authority of governmental subdivisions to form, join, and participate in
7 interlocal risk management agency; employer contributions toward
8 premiums; ownership of record

9 * * *

10 B. Each group self insurance fund shall be separate as to risk, and maintained
11 as a separate pool, but one or more of the funds may be administered by a single
12 interlocal risk management agency. Local governmental subdivisions concluding an
13 agreement under the provisions hereof may by resolution duly adopted by the
14 governing body thereof designate the Louisiana Municipal Association for the
15 municipalities, ~~and the Police Jury Association of Louisiana for the parishes,~~ and the
16 Louisiana School Board Association for the local public school systems to
17 administer the interlocal risk management agency and any group self insurance fund
18 established by said agency, and to further administer the terms and conditions of the
19 intergovernmental agreement by which the agency and the group self insurance fund
20 has been created.

21 * * *

22 F. In addition to local governmental subdivisions, statewide organizations
23 composed of local governmental subdivisions and their wholly owned subsidiaries
24 may become members of an interlocal risk management agency for purposes of
25 providing accident and health protection to their employees and for purposes of
26 providing coverage for those risks defined in R.S. 22:47(3), (6), ~~(7)~~, and (10), and
27 public liability and worker's compensation coverage upon approval of the governing
28 body of the association and the governing body of the interlocal risk management
29 agency. For purposes of this Subsection, the Police Jury Association of Louisiana,

1 ~~and~~ the Louisiana Municipal Association, and the Louisiana School Board
2 Association shall be considered statewide organizations composed of local
3 governmental subdivisions.

4 * * *

5 §1344. Governance of interlocal risk management agencies

6 ~~In the event~~ If the Louisiana Municipal Association of Louisiana, and/or the
7 Police Jury Association of Louisiana, or the Louisiana School Board Association is
8 ~~be~~ designated to administer an interlocal risk management agency, the executive
9 boards of the Louisiana Municipal Association and of the Police Jury Association of
10 Louisiana, as the case may be, and the board of directors of the Louisiana School
11 Board Association shall constitute the board of trustees of each such agency
12 established as provided in ~~Section 1340(B)~~ R.S. 33:1343, and shall be authorized as
13 such to adopt bylaws for the administration of their respective agencies.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 256 Reengrossed 2015 Regular Session Pope

Abstract: Authorizes the La. School Board Assoc., on behalf of local public school systems, to serve as an administrator of an agency formed by local school boards to administer a local risk management program to insure and protect against certain risks, and to join as a member beneficiary of such program.

Present law authorizes multiple local governmental subdivisions to form an "interlocal risk management agency" to develop and administer risk management programs to insure and defend against certain legal claims and to establish group self-insurance funds to self-insure or purchase joint insurance policies for accident and health protection or to insure against public liability or worker's compensation risks. Proposed law retains present law and also authorizes city, parish, or local public school systems to form and participate in interlocal risk management agencies.

Present law authorizes municipalities to designate the La. Municipal Assoc. and parishes to designate the Police Jury Assoc. of La. to administer the risk management agency and any group self-insurance fund and, if so designated, the boards of these associations serve as trustees of each interlocal risk management agency. Proposed law also authorizes school boards, by adoption of a resolution, to so designate the La. School Board Assoc. as an administrator and its board of directors will serve as a board of trustees.

Present law specifically authorizes the La. Municipal Assoc. and the Police Jury Assoc. of La. to become members of an interlocal risk management agency in order to provide accident and health protection to its own employees, insure against public liability and

worker's compensation, and to provide coverage for motor vehicle liability, burglary and forgery, and fire loss. Proposed law authorizes the La. School Board Assoc. to also become a member beneficiary of such agency.

Proposed law provides technical corrections to cross-references of various laws.

(Amends R.S. 33:1342(1), 1343(B) and (F), and 1344)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Are solely technical.