

SENATE BILL NO. 217

BY SENATOR BISHOP AND REPRESENTATIVE BAGNERIS

1 AN ACT

2 To amend and reenact R.S. 44:4.1(B)(11) and to enact R.S. 22:2045, relative to insurance
3 receiverships; to provide for the confidential treatment of documents disclosed to the
4 commissioner of insurance by an insurance receivership; to provide for the
5 confidential treatment of documents disclosed by the commissioner of insurance to
6 an insurance receivership; to provide for an exemption to the Public Records Law
7 for such documents; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 22:2045 is hereby enacted to read as follows:

10 **§2045. Confidentiality**

11 **A. All working papers, recorded information, documents, and copies**
12 **thereof produced by, obtained by, or disclosed to the commissioner, or any**
13 **other person, in the course of an action pursuant to this Chapter, which are**
14 **confidential or privileged pursuant to any other provision of law, shall be given**
15 **confidential treatment and shall not be subject to subpoena or disclosed**
16 **pursuant to the Public Records Law.**

17 **B. All working papers, recorded information, documents, and copies**
18 **thereof disclosed by the commissioner, or any other person, to the receiver in**
19 **the course of an action pursuant to this Chapter, which are confidential or**
20 **privileged pursuant to any other provision of law, shall be given confidential**
21 **treatment and shall not be subject to subpoena or disclosed pursuant to the**
22 **Public Records Law.**

23 **C. Nothing contained in this Chapter shall be construed to limit the**
24 **commissioner's authority to use any working papers, recorded information,**
25 **documents, and copies thereof or any other information discovered or**
26 **developed during the course of any action pursuant to this Chapter in the**

1 furtherance of any legal or regulatory action that the commissioner may, in his
2 sole discretion, deem appropriate.

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

4 §4.1. Exceptions

5 * * *

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

11 * * *

12 (11) R.S. 22:2, 14, 31, 42.1, 88, 244, 263, 265, 461, 550.7, 571, 572, 572.1,
13 574, 618, 639, 691.4, 691.5, 691.6, 691.7, 691.8, 691.9, 691.9.1, 691.10, 691.38,
14 691.56, 732, 752, 753, 771, 834, 972(D), 1008, 1019.2, 1203, 1460, 1464, 1466,
15 1488, 1546, 1559, 1566(D), 1644, 1656, 1723, 1796, 1801, 1927, 1929, 1983, 1984,
16 2036, **2045**, 2056, 2085, 2091, 2293, 2303

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____