

2017 Regular Session

HOUSE BILL NO. 233

BY REPRESENTATIVE THOMAS

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

INSURANCE/SURPLUS LINE: Provides relative to filing requirements for surplus lines insurers

1 AN ACT

2 To enact R.S. 22:436(B)(4), relative to approved unauthorized insurers; to provide for
3 placement on the list of approved unauthorized insurers; to provide filing
4 requirements of surplus lines insurers; to require evidence from the insurer's
5 domiciliary jurisdiction; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:436(B)(4) is hereby enacted to read as follows:

8 §436. Approved unauthorized insurers; list; requirements; removal

9 * * *

10 B. To obtain and maintain placement on the list of approved unauthorized
11 insurers, an unauthorized insurer shall comply with the provisions of R.S. 22:435
12 applicable to foreign or alien insurers, respectively, and shall annually file with the
13 commissioner the following, unless available to the commissioner through the NAIC
14 or from public sources:

15 * * *

16 (4) Evidence obtained from the insurer's domiciliary jurisdiction showing the
17 types of insurance it may write in that jurisdiction.

18 * * *

19 Section 2. This Act shall become effective on July 1, 2017.

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 233 Engrossed

2017 Regular Session

Thomas

Abstract: Provides with respect to the evidence required to obtain and maintain placement on the list of approved unauthorized insurers.

Present law requires that in order to be placed on the list of approved unauthorized insurers, an unauthorized insurer shall comply with present law (R.S. 22:435) and shall file evidence with the commissioner through the NAIC or as follows:

- (1) A copy of the insurer's annual statement as of the preceding Dec. 31 showing that it has complied with the provisions of present law.
- (2) If a workers' compensation carrier, evidence that it has established and maintained a claims office pursuant to the requirements set forth in present law (R.S. 23:1161.1) or has retained a licensed claims adjuster.
- (3) A copy of the producer production report in a form required by the commissioner listing all business placed with the company by licensed surplus lines brokers.

Proposed law retains present law and adds a requirement to file evidence from the insurer's domiciliary jurisdiction showing the types of insurance it may write in that jurisdiction.

Effective July 1, 2017.

(Adds R.S. 22:436(B)(4))