

RÉSUMÉ DIGEST

ACT 171 (HB 615)

2018 Regular Session

Jordan

Existing law requires the division of administrative law to hold a hearing upon written demand by any person aggrieved by an act or order of the commissioner of insurance or failure of the commissioner to act, if the failure is deemed an act under any provision of the La. Insurance Code, or by any report, promulgation, or order of the commissioner other than an order on a hearing of which the person was given actual notice or at which the person appeared as a party, or order pursuant to the order on the hearing.

Existing law requires a demand for a hearing to be filed with the commissioner within a specified time period. Provides that the demand is timely if filed within 30 days after mailing of the notice of the act or order to the person's last known address or delivery of such notice to the person.

Prior law specified that delivery to the person be at the person's last known address and additionally provided that demand was timely if filed within 30 days of the notice being delivered to the person.

New law repeals prior law.

Prior law required that a demand for a hearing also be filed with the division of administrative law.

New law repeals prior law. Instead, requires the commissioner to provide the division of administrative law with a copy of a demand for a hearing within five days of receipt.

Existing law requires the division of administrative law to hold the hearing within 30 days after receipt of the demand, unless postponed by mutual consent, or upon motion of either party for good cause shown or as ordered by the division of administrative law.

New law specifies that the time period for holding the hearing starts upon receipt of the demand from the commissioner of insurance.

Effective January 1, 2019.

(Amends R.S. 22:2191(B))