

HOUSE COMMITTEE AMENDMENTS

2020 Second Extraordinary Session

Amendments proposed by House Committee on Insurance to Original House Bill No. 87 by Representative Brown

1 AMENDMENT NO. 1

2 On page 1, line 2, change "R.S. 22:11(C)" to "R.S. 22:11(C) and to amend R.S.
3 44:4.1(B)(11)"

4 AMENDMENT NO. 2

5 On page 1, line 5, delete "to provide for an effective date" and insert in lieu thereof "to
6 provide for a public records exception; to provide for effectiveness"

7 AMENDMENT NO. 3

8 On page 1, line 19, delete "all" and insert "both"

9 AMENDMENT NO. 4

10 On page 2, line 5, delete "(c)" and insert "(3)"

11 AMENDMENT NO. 5

12 On page 2, between lines 7 and 8, insert the following:

13 "(4) An emergency rule or regulation promulgated and adopted pursuant to
14 this Subsection has only a prospective effect and is void of retroactive application.

15 (5) An emergency rule or regulation promulgated and adopted pursuant to
16 this Subsection shall comply with both of the following criteria:

17 (a) Shall only suspend the provisions of any regulatory statute, order, rule,
18 or regulation if strict compliance with the statute, order, rule, or regulation would
19 prevent, hinder, or delay necessary action in coping with the emergency as
20 authorized in R.S. 29:724(D)(1) and 29:766(D)(1).

21 (b) Shall not add any new requirements not already prescribed by law.

22 (6) An emergency rule or regulation promulgated and adopted pursuant to
23 this Subsection shall not alter the terms, obligations, or conditions of any contract of
24 insurance.

25 (7) An emergency rule or regulation proposed pursuant to this Subsection
26 shall comply with the provisions of R.S. 49:953(B) of the Administrative Procedure
27 Act. In addition, prior to its proposed effective date, the commissioner shall publish
28 a copy of the proposed emergency rule or regulation on the Department of Insurance
29 website and provide such rule or regulation to the House and Senate committees on
30 insurance. The committees may meet jointly or separately to consider the proposed
31 emergency rule or regulation and may reject any specific provisions thereof, in
32 which case the rejected provisions shall not become effective.

33 (8) Any request for claims data is excluded from disclosure as a public
34 record pursuant to the provisions of R.S. 44:1 et seq.

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

36 §4.1. Exceptions

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