

2022 Regular Session

HOUSE BILL NO. 866

BY REPRESENTATIVE FRIEMAN

1 AN ACT

2 To amend and reenact R.S. 22:165(B) and to enact R.S. 22:81(D), 82(D) and (E), 111(D),  
3 112(D) and (E), and 165(C), relative to capital and surplus requirements for certain  
4 domestic insurers; to provide for minimum requirements for domestic insurers  
5 writing homeowners' insurance and fire and allied lines insurance; and to provide for  
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:165(B) is hereby amended and reenacted and R.S. 22:81(D),  
9 82(D) and (E), 111(D), 112(D) and (E), and 165(C) are hereby enacted to read as follows:

10 §81. Capital requirements; applicants prior to September 1, 1989

11 \* \* \*

12 D. Domestic stock insurers authorized to transact homeowners' insurance or  
13 fire and allied lines prior to September 1, 1989, shall have paid-in capital, a  
14 minimum surplus, and an operating surplus totaling at least five million dollars by  
15 December 31, 2026, and totaling at least ten million dollars by December 31, 2031.

16 §82. Capital requirements; applicants on and after September 1, 1989

17 \* \* \*

18 D. Domestic stock insurers authorized to transact homeowners' insurance or  
19 fire and allied lines after September 1, 1989, shall have paid-in capital, a minimum  
20 surplus, and an operating surplus totaling at least five million dollars by December  
21 31, 2026, and totaling at least ten million dollars by December 31, 2031.

1 E. Domestic stock insurers who apply for a certificate of authority that  
 2 includes homeowners' insurance or fire and allied lines after September 1, 2022,  
 3 shall have paid-in capital, a minimum surplus, and an operating surplus totaling at  
 4 least ten million dollars.

5 \* \* \*

6 §111. Surplus requirements; applicants prior to September 1, 1989

7 \* \* \*

8 D. Domestic mutual insurers authorized to transact homeowners' insurance  
 9 or fire and allied lines prior to September 1, 1989, shall have an initial minimum  
 10 surplus and an operating surplus totaling at least five million dollars by December  
 11 31, 2026, and totaling at least ten million dollars by December 31, 2031.

12 §112. Surplus requirements; applicants on and after September 1, 1989

13 \* \* \*

14 D. Domestic mutual insurers authorized to transact homeowners' insurance  
 15 or fire and allied lines after September 1, 1989, shall have an initial minimum  
 16 surplus and an operating surplus totaling at least five million dollars by December  
 17 31, 2026, and totaling at least ten million dollars by December 31, 2031.

18 E. Domestic mutual insurers who apply for a certificate of authority that  
 19 includes homeowners' insurance or fire and allied lines after September 1, 2022,  
 20 shall have an initial minimum surplus and an operating surplus totaling at least ten  
 21 million dollars.

22 \* \* \*

23 §165. Minimum application and surplus requirements

24 \* \* \*

25 ~~B. Insurers already organized and qualified under the laws of this state as of~~  
 26 ~~July 27, 1966, shall continue to have the same underwriting powers they had as of~~  
 27 ~~that date, provided all such insurers shall increase the surplus requirements to the~~  
 28 ~~amounts set out in Subsection A of this Section on or before August 1, 1967.~~  
 29 Domestic reciprocal insurers authorized to transact homeowners' insurance or fire  
 30 and allied lines after August 1, 1967, shall have an initial minimum surplus of at

1            least five million dollars by December 31, 2026, and at least ten million dollars by  
2            December 31, 2031.

3            C. Domestic reciprocal insurers who apply for a certificate of authority that  
4            includes homeowners' insurance or fire and allied lines after September 1, 2022,  
5            shall have an initial minium surplus of at least ten million dollars.

6            Section 2. This Act shall become effective January 1, 2023.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_