

2022 Regular Session

HOUSE BILL NO. 118

BY REPRESENTATIVE FIRMENT

1 AN ACT

2 To amend and reenact R.S. 22:2171(C)(7), (D), (E)(6), (F)(12), (G)(12), and (H) through (L)  
3 and to enact R.S. 22:2171(C)(23) through (26) and (M), relative to the Louisiana  
4 Property and Casualty Insurance Commission; to provide for the members of the  
5 commission; to create an ad hoc committee under the commission to study  
6 catastrophe property claims; to provide for the members of the commission's ad hoc  
7 committees; to make technical changes; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 22:2171(C)(7), (D), (E)(6), (F)(12), (G)(12), and (H) through (L) are  
10 hereby amended and reenacted and R.S. 22:2171(C)(23) through (26) and (M) are hereby  
11 enacted to read as follows:

12 §2171. Louisiana Property and Casualty Insurance Commission

13 \* \* \*

14 C. The commission shall consist of the following members:

15 \* \* \*

16 (7) A representative of the ~~Property Casualty Insurers Association of~~  
17 ~~America~~ American Property Casualty Insurance Association, selected by its  
18 governing body, or his designee.

19 \* \* \*

20 (23) A representative of the Louisiana Claims Association.

21 (24) A representative of the National Association of Independent Insurance  
22 Adjusters.

23 (25) A representative of the American Adjuster Association.

24 (26) A representative of the American Policyholder Association.

25 D. The commission shall consist of ad hoc committees to study property and  
26 casualty insurance, including but not limited to the areas of automobile insurance,

1 ~~homeowners~~ homeowners' insurance, ~~and~~ workers' compensation insurance, ~~and~~  
 2 catastrophe property claims. The commissioner ~~of insurance~~ shall appoint a  
 3 chairperson and a vice chairperson for the commission and a chairperson and vice  
 4 chairperson for each ad hoc committee.

5 E. The automobile insurance ad hoc committee shall consist of the following  
 6 members:

7 \* \* \*

8 (6) The representative of the ~~Property Casualty Insurers Association of~~  
 9 ~~America~~ American Property Casualty Insurance Association or his designee.

10 \* \* \*

11 F. The homeowners ad hoc committee shall consist of the following  
 12 members:

13 \* \* \*

14 (12) The representative of the ~~Property Casualty Insurers Association of~~  
 15 ~~America~~ American Property Casualty Insurance Association or his designee.

16 G. The workers' compensation insurance ad hoc committee shall consist of  
 17 the following members:

18 \* \* \*

19 (12) The representative of the ~~Property Casualty Insurers Association of~~  
 20 ~~America~~ American Property Casualty Insurance Association or his designee.

21 H. The catastrophe property claims ad hoc committee shall consist of the  
 22 following members:

23 (1) The governor or his designee.

24 (2) The commissioner of insurance or his designee.

25 (3) Two members of the Senate Committee on Insurance selected by its  
 26 chairperson.

27 (4) Two members of the House Committee on Insurance selected by its  
 28 chairperson.

29 (5) A representative of the Independent Insurance Agents & Brokers of  
 30 Louisiana.

1                   (6) A representative of the National Association of Mutual Insurance  
 2                   Companies.

3                   (7) One consumer representative selected by the speaker of the House of  
 4                   Representatives.

5                   (8) One consumer representative selected by the president of the Senate.

6                   (9) A representative of the Louisiana Claims Association.

7                   (10) A representative of the National Association of Independent Insurance  
 8                   Adjusters.

9                   (11) A representative of the American Adjuster Association.

10                  (12) A representative of the American Policyholder Association.

11                  (13) A representative of the American Property Casualty Insurance  
 12                  Association.

13                  (14) A representative of the Professional Insurance Agents of Louisiana.

14                  I. The members of the commission shall serve without compensation, and  
 15                  their terms shall be for two years.

16                  † J. Any vacancies on the commission shall be filled in the same manner as  
 17                  the original appointments for the unexpired portion of the term of the vacated  
 18                  appointment.

19                  ‡ K. A majority of the members of the commission shall constitute a quorum  
 20                  for the transaction of business. A majority of the members of an ad hoc committee  
 21                  shall constitute a quorum for the transaction of business of the ad hoc committee.  
 22                  All official actions of the commission or any ad hoc committee shall require the  
 23                  affirmative vote of a majority of the members of the commission or ad hoc  
 24                  committee present and voting during meetings of the commission or ad hoc  
 25                  committee. The commission shall meet twice annually in any one calendar year and  
 26                  the ad hoc committees may meet on the call of the chairperson of the commission or  
 27                  of the ad hoc committee, or upon the request of any three members of the ad hoc  
 28                  committee.

29                  ~~K.(†)~~ L.(1) The commission shall submit to the governor, the Louisiana  
 30                  Legislature, and the commissioner of insurance on an annual basis prior to the

1 convening of each regular legislative session an annual report on their actions,  
2 studies, findings, and recommendations of those laws and projects affecting property  
3 and casualty insurance.

4 (2)(a) The commission shall conduct all meetings and hearings, in  
5 accordance with R.S. 42:11 et seq., to receive testimony about that information it is  
6 charged with gathering. The commission shall also be permitted to receive further  
7 information and testimony from regional and national experts on insurance rating  
8 issues. The commission shall study ways to give incentives to those communities  
9 that have a greater enforcement rate over laws that directly or indirectly affect  
10 insurance rates in that community and state.

11 (b) All state and local agencies and political subdivisions shall cooperate  
12 with the commission and assist it in the gathering of information when requested.  
13 All materials in the possession or control of the commission or its employees shall  
14 be considered public records pursuant to R.S. 44:1 et seq.

15 E. M. The commissioner ~~of insurance~~ shall appoint a director and an  
16 assistant director with the consent of the Senate who shall serve at the pleasure of the  
17 commissioner. The commissioner ~~of insurance~~ may also employ such persons,  
18 including two unclassified employees, as necessary to carry out the provisions of this  
19 Section and may establish the compensation of technical, professional, and clerical  
20 employees as needed for the commission to accomplish its work. Any such  
21 employee shall be compensated from the budget of the commissioner. All of the  
22 employees of the commission shall be under the direction and supervision of the  
23 commissioner ~~of insurance~~.

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES

---

PRESIDENT OF THE SENATE

---

GOVERNOR OF THE STATE OF LOUISIANA

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