

2024 Regular Session

HOUSE BILL NO. 605

BY REPRESENTATIVE HENRY

INSURANCE: Provides relative to hearings and delivery of notices

1 AN ACT

2 To amend and reenact R.S. 22:1968, 1969(A)(introductory paragraph), and 2191(B)(1),
3 relative to insurance matters; to provide relative to hearing notices and violations;
4 to provide for electronic or physical delivery of notices; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1968, 1969(A)(introductory paragraph), and 2191(B)(1) are
8 hereby amended and reenacted to read as follows:

9 §1968. Notice of hearing

10 A. ~~Whenever~~ If the commissioner ~~shall have~~ has reason to believe that any
11 person has been engaged or is engaging in this state in any unfair trade practice as
12 defined in this Code, whether or not defined in this Part, the commissioner shall issue
13 a notice of wrongful conduct to that person in accordance and compliance with R.S.
14 49:977.3 describing the unfair trade practice and citing the law which is deemed by
15 the commissioner to be violated.

16 B. The commissioner may promulgate and adopt rules in accordance with
17 the Administrative Procedure Act to provide means of electronic delivery of the
18 notice required in this Section.

19 §1969. Violations; penalties

20 A. If, after receiving the person's answer or response or if no answer or
21 response is received within twenty days of receipt of mailing, faxing, or electronic
22 or physical delivery of the notice, the commissioner shall determine that the person

1 charged has engaged in an unfair method of competition or an unfair or deceptive act
2 or practice, the commissioner shall reduce his findings to writing and shall issue and
3 cause to be served upon the person charged with the violation a copy of such
4 findings and an order requiring such person to cease and desist from engaging in
5 such method of competition, act, or practice and order any one or more of the
6 following:

7 * * *

8 §2191. Hearings

9 * * *

10 B.(1) Any demand for a hearing shall be filed by the aggrieved party with
11 the commissioner within thirty days after mailing of notice of the act or order to the
12 aggrieved party's last known address or within thirty days after the electronic or
13 physical delivery of notice of the act or order to the aggrieved party. The demand
14 for hearing shall specify in what respects the person is aggrieved and the grounds
15 upon which relief should be granted at the hearing. The aggrieved person shall
16 reference the particular sections of the statutes and rules involved, shall provide a
17 short and plain statement of matters asserted for review, and shall attach a copy of
18 any order or decision of the commissioner for review.

19 * * *

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 605 Reengrossed 2024 Regular Session Henry

Abstract: Provides for electronic or physical delivery of certain notices of hearings and violations.

Present law requires certain notices for hearings and violations within the La. Insurance Code. Proposed law provides for electronic or physical delivery of notices for certain hearings and violations. Otherwise retains present law.

(Amends R.S. 22:1968, 1969(A)(intro. para.), and 2191(B)(1))