

Prior law permitted each insurer admitted to write homeowners' insurance or insurance insuring one- or two-family owner occupied premises for fire and allied lines or insurance which covers commercial structures in the state to apply to the La. Citizens Property Insurance Corporation to become a take-out company. Further provided that insurers will be approved to participate in the depopulation of the corporation based on the following criteria:

- (1) The capacity of the insurer to absorb the policies proposed to be taken out of the corporation and the concentration of risks of those policies.
- (2) An insurer shall have the rates proposed to be charged for the policies being taken out, filed, and approved by the Dept. of Insurance with an effective date prior to the assumption of policies.
- (3) The rates that are charged by the company submitting a take-out plan must comply with prior law in the first year that the company charges premiums to the customer. During the second and all subsequent years of coverage, the take-out company shall apply to the department for rates that are actuarially justified.

New law provides that during the second and third years of coverage only, the take-out company shall apply to the Dept. of Insurance for rates that are actuarially justified.

Effective August 1, 2014.

(Amends R.S. 22:2314(C)(3))