

SENATE BILL NO. 22

BY SENATOR LAFLEUR

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 33:1352(5), 1353(A), 1356, and 1359(E), relative to local housing authority members of an interlocal risk management agency; to authorize the pooling of public officials liability coverage risks; to authorize the pooling of other coverage risks that the board deems appropriate; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:1352(5), 1353(A), 1356, and 1359(E) are hereby amended and reenacted to read as follows:

§1352. Definitions; terms defined

The following words and terms shall have the meaning indicated unless the context shall clearly indicate a different meaning:

* * *

(5) "Self-insurance fund" means a pool of public monies established by an interlocal risk management agency from contributions of its members in order to:

(a) To pool any one or more of the following risks: general liability, workers' compensation, ~~or property~~, or to public officials liability, including employment practices liability, property, or any other line of coverage approved by the board of trustees of the interlocal risk management agency.

(b) To purchase insurance for risks of general liability, workers' compensation, and/or property coverage, or other lines of coverage approved by the board of trustees of the interlocal risk management agency.

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§1353. Authority of local housing authority to form, join, and participate in interlocal risk management agency

1 A. Any two or more local housing authorities may make and execute an
 2 intergovernmental agreement between or among themselves to form and become
 3 members of an interlocal risk management agency. After an interlocal risk
 4 management agency has been formed, any local housing authority may, subject to
 5 the bylaws and requirements of such agency, become a member and through
 6 participation in the agency may:

7 (1) Pool its general liability risks in whole or in part with those of other local
 8 housing authorities.

9 (2) Pool its workers' compensation risks in whole or in part with those of
 10 other local housing authorities.

11 ~~(3) Purchase general liability, workers' compensation, and/or property~~
 12 ~~coverage insurance with other local housing authorities participating in and~~
 13 ~~belonging to the interlocal risk management agency, the pooled risks of the~~
 14 ~~participating local housing authorities to be described in a plan of coverages with the~~
 15 ~~total premium prorated among such participants.~~ **Pool its public officials liability**
 16 **risks, including employment practices liability coverage, in whole or in part**
 17 **with those of other local housing authorities.**

18 (4) Pool its property coverage risks in whole or in part with those of other
 19 local housing authorities.

20 **(5) Pool other coverage risks the board of trustees of the interlocal risk**
 21 **management agency may determine to be appropriate in whole or in part with**
 22 **those of other local housing authorities.**

23 **(6) Purchase insurance for risks of general liability, workers'**
 24 **compensation, public officials liability, including employment practices liability,**
 25 **property or other insurance for such other lines of coverage pooled by the**
 26 **interlocal risk management agency with other local housing authorities**
 27 **participating in and belonging to the interlocal risk management agency. The**
 28 **pooled risks of the participating local housing authorities shall be described in**
 29 **a plan of coverages with the total premium prorated among such participants.**

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1 §1356. Minimum contributions before risk sharing

2 A self-insurance fund shall not function as a means of sharing risks of loss
3 among the members of an interlocal risk management agency until the interlocal risk
4 management agency administering such fund shall have received, for general
5 liability, workers' compensation, ~~and~~ **public officials liability, including**
6 **employment practices liability, property coverage, and any other pooled line of**
7 **coverage** risks, an annual gross premium, calculated in accordance with the
8 applicable manual premium rate or rates, plus or minus applicable experience credits
9 or debits, of not less than two hundred thousand dollars for each line of risk.

10 * * *

11 §1359. Excess insurance

12 * * *

13 E. The agency shall maintain at all times ~~a contract or contracts~~ of excess
14 insurance with respect to property coverage **and such other lines of coverage as**
15 **may be approved by the board of trustees of the interlocal risk management**
16 **agency** in such amounts as determined by the board of trustees of the interlocal risk
17 management agency.

18 * * *

19 Section 2. This Act shall become effective upon signature by the governor or, if not
20 signed by the governor, upon expiration of the time for bills to become law without signature
21 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
22 vetoed by the governor and subsequently approved by the legislature, this Act shall become
23 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____