

SENATE BILL NO. 588

BY SENATORS CRAVINS, DUPRE, HEBERT, LONG AND MORRISH AND REPRESENTATIVE KLECKLEY AND SENATORS ADLEY, ALARIO, AMEDEE, CHAISSON, CHEEK, DORSEY, ERDEY, N. GAUTREAUX, GRAY, HEITMEIER, JACKSON, KOSTELKA, MARIONNEAUX, MARTINY, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, RISER, SCALISE, SHAW, SHEPHERD, SMITH, THOMPSON AND WALSWORTH AND REPRESENTATIVES ABRAMSON, ARMES, AUSTIN BADON, BOBBY BADON, BALDONE, BILLIOT, HENRY BURNS, BURRELL, CARMODY, CONNICK, CORTEZ, DIXON, DOWNS, EDWARDS, GISCLAIR, MICKEY GUILLORY, HARDY, HARRISON, HAZEL, HINES, HONEY, HUTTER, ROSALIND JONES, LAFONTA, LEBAS, LEGER, LOPINTO, MARCHAND, MILLS, MONICA, MORRELL, PEARSON, PERRY, PETERSON, RICHMOND, RITCHIE, ROY, SCHRODER, GARY SMITH, JANE SMITH, TALBOT AND TRAHAN

1 AN ACT

2 To amend and reenact R.S. 22:3304(D) and (F) and R.S. 36:696(B) and to enact R.S.  
3 22:3312, relative to the Insure Louisiana Incentive Program; to provide for use of  
4 unused monies in the program to assist individuals with homeowners insurance  
5 premiums or to accelerate payoff of the Unfunded Accrued Liability of the state  
6 retirement systems; to create and provide for implementation of a homeowner policy  
7 premium assistance program; to provide for participation in the premium program;  
8 to provide for coordination of the program by the office of consumer advocacy in the  
9 Department of Insurance; to authorize the department to promulgate rules and  
10 regulations to implement the program; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 22:3304(D) and (F) are hereby amended and reenacted and R.S.  
13 22:3312 is hereby enacted to read as follows:

1 §3304. Implementation; grant limitations

2 \* \* \*

3 D. Once the commissioner has finalized all ~~grants~~ **responses from three**  
 4 **separate invitations for grant applications** authorized under this Chapter, any  
 5 unexpended and unencumbered monies in the fund **and any matching capital fund**  
 6 **grant funds that are not earned pursuant to R.S. 22:3310(A)** shall be returned to  
 7 the state general fund **used pursuant to the provisions of R.S. 22:3312. However,**  
 8 **if less than thirty-five million dollars remains in the Insure Louisiana Incentive**  
 9 **Fund after responses have been finalized to the three separate invitations for**  
 10 **grant applications, then the remaining monies in the fund shall instead be used**  
 11 **to accelerate payoff of the Unfunded Accrued Liability of the state retirement**  
 12 **systems.**

13 \* \* \*

14 F. Prior to the award of any grant pursuant to the provisions of this Chapter,  
 15 such grant shall be subject to the review and approval of the Joint Legislative  
 16 Committee on the Budget. **The use of grant funds and unexpended and**  
 17 **unencumbered monies pursuant to the provisions of Subsection D of this Section**  
 18 **shall not be subject to review and approval of the Joint Legislative Committee**  
 19 **on the Budget.**

20 \* \* \*

21 **§3312. Homeowner policy premium assistance program; eligibility**

22 **A. The homeowner policy premium assistance program is hereby created**  
 23 **for individuals who paid a homeowner insurance policy premium during the**  
 24 **previous twelve calendar months. The homeowner policy premium assistance**  
 25 **program shall provide each homeowner with assistance toward payment of the**  
 26 **homeowner's insurance premium due on the homeowner's residence. The**  
 27 **amount of assistance under this Section shall equal the pro rata share of funds**  
 28 **available.**

29 **B. The homeowner insurance premium assistance credit shall continue**  
 30 **to be received as long as funds are available in the Insure Louisiana Incentive**

1 Program Fund as provided in this Chapter or otherwise appropriated by the  
2 legislature.

3 C. The deputy commissioner for consumer advocacy shall coordinate  
4 and administer the homeowner policy premium assistance program created  
5 pursuant to the provisions of this Section. The commissioner of insurance shall  
6 promulgate rules and regulations to implement the provisions of this Section.

7 D. Rules and regulations promulgated by the commissioner under this  
8 Section shall require that any credit or rebate applicable to a policy list, on the  
9 premium statement, the amount of the premium reduction due to the assistance  
10 credit provided in this Section and that it be listed on the premium statement  
11 as the Louisiana Property Insurance Premium Credit.

12 Section 2. R.S. 36:696(B) is hereby amended and reenacted to read as follows:

13 §696. Deputy commissioner for consumer advocacy; functions; office of consumer  
14 advocacy

15 \* \* \*

16 B.(1) The office of consumer advocacy, through the deputy commissioner of  
17 consumer advocacy, shall perform the following duties and functions concerning  
18 products or services regulated by the Department of Insurance:

19 (1) (a) Receive inquiries and complaints from consumers.

20 (2) (b) Prepare and disseminate such information as the department deems  
21 appropriate to inform or assist consumers.

22 (3) (c) Provide direct assistance and advocacy for consumers who request  
23 such assistance or advocacy.

24 (4) (d) Report, with respect to apparent or potential violations of law or  
25 applicable rules or regulations of the department by a person or entity licensed by the  
26 department, such apparent or potential violations to the appropriate division or office  
27 of the department, which may take such further action as it deems appropriate.

28 (5) (e) Ensure compliance with the policyholder bill of rights as provided in  
29 R.S. 22:1455.

30 (2) The office of consumer advocacy, through the deputy commissioner

