ACT No. 443

HOUSE BILL NO. 489

BY REPRESENTATIVE HUVAL AND SENATOR TALBOT

1	AN ACT
2	To amend and reenact R.S. 22:1451(C) and to enact R.S. 22:1451(G), relative to insurers
3	and rate service organizations; to provide for rate filing approval and disapproval
4	to provide for notification; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 22:1451(C) is hereby amended and reenacted and R.S. 22:1451(G)
7	is hereby enacted to read as follows:
8	§1451. Systems for ratemaking
9	* * *
10	C.(1) Subject to the exception specified in Subsection D of this Section, each
11	filing submitted to the commissioner shall be on file for a waiting period of forty-
12	five days before it becomes effective. Upon written application by such insurer or
13	rating organization, the commissioner may authorize a filing which he has reviewed
14	to become effective before the expiration of the waiting period. A filing shall be
15	deemed to meet the requirements of this Subpart unless disapproved in writing by
16	the commissioner within the forty-five-day waiting period. At the expiration of the
17	forty-five day waiting period, the filing shall be deemed approved unless prior to day
18	forty-five the filing has been affirmatively approved or disapproved by order of the
19	commissioner. Approval of any such filing by the commissioner shall constitute a
20	waiver of any unexpired portion of this waiting period. The commissioner may by
21	rule, regulation, or order reduce or eliminate the waiting period specified in this
22	Subsection. For any filing that is disapproved, the insurer may appeal such
23	disapproval to the Nineteenth Judicial District Court within fifteen days from the
24	receipt of written notice of disapproval.

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1 (2) Unless notified by the commissioner that a filing is incomplete, or that 2 the filing is disapproved pursuant to this Subpart, the insurer or rating organization 3 may commence use of the filed rates upon expiration of forty-five days from the date 4 of receipt by the commissioner. 5 G. The commissioner shall not disapprove a filing that is in compliance with 6 7 Subsection C of this Section on the basis of time that has elapsed since the most 8 recent rate approval by the commissioner. SPEAKER OF THE HOUSE OF REPRESENTATIVES PRESIDENT OF THE SENATE GOVERNOR OF THE STATE OF LOUISIANA

ENROLLED

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APPROVED: