

Regular Session, 2003

ACT No. 293

HOUSE BILL NO. 1833

BY REPRESENTATIVE MORRISH

AN ACT

To amend and reenact R.S. 22:1142(A)(introductory paragraph) and (4) and R.S. 40:1428(A)(3), relative to insurance fraud; to provide for licensing; to provide for funding; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1142(A)(introductory paragraph) and (4) are hereby amended and reenacted to read as follows:

§1142. License denial, nonrenewal, or revocation

A. The commissioner of insurance may place on probation, suspend, revoke, or refuse to issue, renew, or reinstate an insurance producer license, or may levy a fine not to exceed five hundred dollars for each violation occurring, ~~in this state~~ up to ten thousand dollars aggregate for all violations in a calendar year per applicant or licensee, or any combination of actions, for any one or more of the following causes:

* * *

(4) Using fraudulent, coercive, or dishonest practices or misrepresentation, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business ~~in this state~~ such as might endanger the public.

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Section 2. R.S. 40:1428(A)(3) is hereby amended and reenacted to read as follows:

§1428. Special assessment; creation of fund

A.

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(3) On and after January 1, ~~2003~~ 2004, if the fee assessed for the previous year exceeds by five percent of the cumulative costs of the previous year of operating the insurance fraud programs to which funds are allocated, the fee assessment for the next year shall be reduced by the amount of the excess in proportion to the assessment; however, any entity listed in Subparagraph (4)(b) of this Subsection that expends its allocation shall receive at least the same allocation for the next year.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____