

ACT No. 933

Regular Session, 2003

HOUSE BILL NO. 969

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 22:2(A)(1) and 1138.1(A)(2), R.S. 23:1, R.S. 30:2003(A), and R.S. 51:121 and 921 and to enact R.S. 22:1368, relative to state agencies and the regulation of business and industry; to provide relative to the insurance industry; to provide for the conduct of certain adjudications involving insurance by the Division of Administrative Law; to provide relative to labor laws; to provide relative to regulation and control over the state's environment; to provide relative to commerce and economic development in the state; to provide for credit insurance; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:2(A)(1) and 1138.1(A)(2) are hereby amended and reenacted and R.S. 22:1368 is hereby enacted to read as follows:

§2. Insurance regulated in the public interest

A.(1) Insurance is a ~~business~~ an industry affected with the public interest and it is the purpose of this Code to regulate that ~~business~~ industry in all its phases. Pursuant to the authority contained in the Constitution of Louisiana, the office of the commissioner of insurance is created. It shall be the duty of the commissioner of insurance to administer the provisions of this Code. The term of office of the commissioner shall be four years and said officer shall be elected at the election for governor and other state officers.

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§1138.1. Specialty limited lines credit insurance

A.

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(2) No producer shall sell, solicit, or negotiate credit life, credit health and accident, or credit property and casualty insurance pursuant to a specialty limited lines credit insurance producer license other than (i) in connection with retail sales transactions not exceeding ten thousand dollars per retail sales transaction; or (ii) in connection with retail sales of motor vehicles wherein the transaction exceeds ten thousand dollars as provided in rules and regulations promulgated by the commissioner of insurance.

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§1368. Administrative hearings

As provided in Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950, the Division of Administrative Law shall conduct any adjudications required by any provision of this Part.

Section 2. R.S. 23:1 is hereby amended and reenacted to read as follows:

§1. Department of Labor established

A Department of Labor is created and established. The duties of this department shall be exercised and discharged under the supervision and direction of the secretary. He shall have charge of the administration and enforcement of all laws, rules, and regulations, which it is the duty of the department to administer and enforce, and shall direct all inspections and investigations, except as otherwise provided by law.

Section 3. R.S. 30:2003(A) is hereby amended and reenacted to read as follows:

§2003. Purposes

A. The maintenance of a healthful and safe environment in Louisiana requires governmental regulation and control over the areas of water quality, air quality, solid and hazardous waste, scenic rivers and streams, and radiation.

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Section 4. R.S. 51:121 and 921 are hereby amended and reenacted to read as follows:

§121. Commerce defined

Commerce means trade or commerce within ~~this~~ the geographic boundaries of this state.

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§921. Declaration of policy

It is the policy of the state of Louisiana, in furtherance of its responsibility to protect the health, public safety, welfare, and future prosperity of the citizens of the state, to fully develop the human, economic, and natural resources of the state through a well-informed and business-oriented Department of Economic Development.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____