

Regular Session, 2012

HOUSE BILL NO. 359

BY REPRESENTATIVE PIERRE

1 AN ACT

2 To amend and reenact R.S. 22:1921(B) and (C) and to enact R.S. 22:1921(D), relative to the
3 insurance fraud section of the Department of Insurance; to clarify language relative
4 to background checks; to provide for certain technical changes; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1921(B) and (C) are hereby amended and reenacted and R.S.
8 22:1921(D) is hereby enacted to read as follows:

9 §1921. Purpose and powers

10 * * *

11 B. In the event the applicant is a corporation, partnership, or other legal
12 entity, the criminal ~~searches~~ background checks shall be limited to those individuals
13 who are directors, officers, employees, or individuals who own or control at least ten
14 percent of the entity.

15 C. If the section has reason to believe, whether acting on its own initiative
16 or as a result of complaints, that a person has engaged in, or is engaging in, an act or
17 practice that violates this Part or any other provision of the Insurance Code, it may
18 examine and investigate into the affairs of such person and may administer oaths and
19 affirmations, serve subpoenas ordering the attendance of witnesses, and collect
20 evidence.

21 ~~E.~~ D. If during the course of investigation, the Department of Insurance
22 determines that there may be a violation of any criminal law, the investigation shall
23 then be turned over to the Louisiana Department of Justice, the Department of Public
24 Safety and Corrections, public safety services, office of state police, and other

1 appropriate law enforcement ~~and/or~~ or prosecutorial agency, for further
2 investigation, enforcement, or prosecution.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____