

ACT No. 171

2018 Regular Session

HOUSE BILL NO. 615

BY REPRESENTATIVE JORDAN

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AN ACT

To amend and reenact R.S. 22:2191(B), relative to hearings before the division of administrative law regarding acts of the commissioner of insurance and matters arising under the Louisiana Insurance Code; to require a demand for hearing be filed with the commissioner of insurance; to provide for the notification of a demand for hearing from the commissioner of insurance to the division of administrative law; to make technical changes; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:2191(B) is hereby amended and reenacted to read as follows:

§2191. Hearings

* * *

B.(1) Any ~~such~~ demand for a hearing shall be filed ~~with the division of administrative law and~~ by the aggrieved party with the commissioner within thirty days after mailing of notice of the act or order to the aggrieved party's last known address or within thirty days after the delivery of notice of ~~such the~~ act or order ~~is mailed, faxed, or delivered to the aggrieved party, at his last known address specifying~~ The demand for hearing shall specify in what respects ~~such the~~ person is so aggrieved and the grounds ~~to be relied upon as basis for the relief to be demanded~~ which relief should be granted at the hearing. The aggrieved person shall reference the particular sections of the statutes and rules involved, shall provide a short and plain statement of matters asserted for review, and shall attach a copy of any order or decision of the commissioner for review.

1 (2) The commissioner shall provide the division of administrative law with
 2 a copy of a demand for a hearing by the aggrieved party within five days of receipt
 3 of the original.

4 (3) The division of administrative law shall hold ~~such~~ the hearing demanded
 5 within thirty days after receipt of the demand from the commissioner, unless
 6 postponed by mutual consent, or upon motion of either party for good cause shown
 7 or as ordered by the division of administrative law. In no circumstance shall this
 8 hearing be held later than sixty days from the date of the original demand for the
 9 hearing unless otherwise agreed upon by all parties.

* * *

11 Section 2. This Act shall become effective on January 1, 2019.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____