

SENATE BILL NO. 17

BY SENATOR CRAVINS

1 AN ACT

2 To amend and reenact R.S. 22:1430.11(A) and (D), relative to Louisiana Citizens Property  
3 Insurance Corporation; to provide with respect to eligibility and application for  
4 coverage by the corporation; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 22:1430.11(A) and (D) are hereby amended and reenacted to read  
7 as follows:

8 §1430.11. Eligibility; application

9 A. Any person having an insurable interest in insurable property **and who**  
10 **has been denied coverage by one or more insurers authorized to write property**  
11 **insurance in this state** is entitled to apply to the corporation, directly or through a  
12 representative, for such coverage through the Coastal Plan or the FAIR Plan, and for  
13 an inspection of the property. Every such application shall be submitted on forms  
14 prescribed by the governing board of the corporation and on file with the  
15 commissioner of insurance **which clearly states that the corporation is an insurer**  
16 **of last resort. Every application form shall require that the applicant disclose**  
17 **each insurance carrier or carriers who denied property insurance coverage to**  
18 **the applicant.**

19 \* \* \*

20 D. **If Except for the failure of an applicant to show a previous denial of**  
21 **coverage by another property insurance carrier as provided in Subsection A of**  
22 **this Section, if** the corporation for any **other** reason denies an application and  
23 refuses to cause to be issued an insurance policy on insurable property to any  
24 applicant, or takes no action on an application within the time prescribed in the plan  
25 of operation, such applicant may appeal to the commissioner of insurance and, after

1 reviewing the facts, he may direct the corporation to issue, or cause to be issued, an  
 2 appropriate insurance policy to the applicant. In carrying out its duties pursuant to  
 3 this Section, the commissioner of insurance may request and the corporation shall  
 4 provide any information which the commissioner deems necessary to a determination  
 5 concerning the reason for the denial or delay of the application.

6 Section 2. This Act shall become effective upon signature by the governor or, if not  
 7 signed by the governor, upon expiration of the time for bills to become law without signature  
 8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 9 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 10 effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_