

Regular Session, 2013

SENATE BILL NO. 33

BY SENATOR BROWN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INSURANCE DEPARTMENT. Provides relative to a minority hiring survey by the division of minority affairs in the Department of Insurance. (8/1/13)

1 AN ACT

2 To amend and reenact R.S. 22:31 and R.S. 44:4.1(B)(11), relative to the division of minority  
3 affairs; to authorize a survey relative to the hiring practices of insurance companies;  
4 to provide for applicability of public records exemptions to the survey; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:31 is hereby amended and reenacted to read as follows:

8 §31. Division of minority affairs

9 A. There is hereby created within the Department of Insurance a division of  
10 minority affairs which shall have the following functions and duties:

11 (1) To assist in coordinating the activities of the Advisory Committee on  
12 Equal Opportunity.

13 (2) To maintain a list of a contact person within each insurance company  
14 transacting business in this state who is specifically charged with a duty by the  
15 company to respond to inquiries from members of minority groups regarding  
16 opportunities for employment, appointment as producers, and contracting for  
17 services with insurance companies.

1 (3) In cooperation with insurance companies transacting business in the state,  
2 to establish educational and informational services to foster a greater awareness of  
3 the opportunities available in the insurance industry and of the skills, training, and  
4 education necessary to prepare for opportunities in employment, appointment as  
5 producers, and contracting for services with insurance companies.

6 (4) To assist members of minority groups in obtaining employment, producer  
7 or agency contracts, and contracting for services with insurance companies  
8 transacting business in Louisiana.

9 (5) To submit an annual report by April first of each year to the House and  
10 Senate insurance committees relative to educational and informational services made  
11 available to minorities, the number and types of inquiries, and all available relevant  
12 information from applicants and producers.

13 (6)(a) To develop a pilot program ~~which~~ **that** seeks to address the needs and  
14 concerns of minority and women producers in this state. The pilot program, at a  
15 minimum, shall provide training for producers in all areas of agency management,  
16 training and education for agency personnel, and automation support for the  
17 producers in the pilot program. The commissioner of insurance may adopt rules and  
18 regulations necessary for the implementation of the provisions of this ~~Section~~  
19 **Subsection.**

20 (b) This Paragraph shall not apply to producers who exclusively sell  
21 insurance for one company or a group of companies under common management  
22 ~~which~~ **that** already has a training program in place for all producers.

23 **B. The division of minority affairs may conduct a survey of insurance**  
24 **companies doing business in Louisiana in order to seek information and data**  
25 **relative to the policies and practices of hiring of and contracting with**  
26 **minorities. The survey, data, and responses thereto shall not be a public record**  
27 **as defined by the Public Records Law and shall be exempt from disclosure.**

28 Section 2. R.S. 44:4.1(B)(11) is hereby amended and reenacted to read as follows:

29 §4.1. Exceptions

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B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

\* \* \*

(11) R.S. 22:2, 14, **31(B)**, 42.1, 88, 244, 461, 572, 572.1, 574, 618, ~~706~~, 732, 752, 771, 1203, 1460, 1466, 1546, 1644, 1656, 1723, 1927, 1929, 1983, 1984, 2036, 2303

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The original instrument was prepared by Cheryl Horne. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

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DIGEST

Brown (SB 33)

Present law provides for a division of minority affairs within the Dept. of Insurance. The division duties include assisting in the coordination of activities of the department's Advisory Committee on Equal Opportunity.

Proposed law provides that the division of minority affairs may conduct a survey of the hiring and contracting practices insurers use in relation to minorities.

Proposed law further provides that the survey shall fall within the exception to the Public Records Law.

(Amends R.S. 22:31 and 44:4.1(B)(11))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

- 1. Technical.

Senate Floor Amendments to engrossed bill

- 1. Technical.