

2017 Regular Session

HOUSE BILL NO. 283

BY REPRESENTATIVE SEABAUGH

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

ADMINISTRATIVE PROCEDURE: Provides relative to judicial review of administrative hearings involving actions of the commissioner of insurance

1 AN ACT

2 To amend and reenact R.S. 49:964(A)(2) and 992(B)(2) and (3) and (D)(1) and to enact R.S.  
3 49:992(D)(10), relative to judicial review of decisions or orders of administrative  
4 law judges arising from the Louisiana Insurance Code; to provide for filing of  
5 petitions for judicial review by the commissioner of insurance; to provide for judicial  
6 review by the Nineteenth Judicial District Court; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 49:964(A)(2) and 992(B)(2) and (3) and (D)(1) are hereby amended  
9 and reenacted and R.S. 49:992(D)(10) is hereby enacted to read as follows:

10 §964. Judicial review of adjudication

11 A.

12 \* \* \*

13 (2) ~~No~~ Except as provided in R.S. 49:992(D)(10), no agency or official  
14 thereof, or other person acting on behalf of an agency or official thereof, shall be  
15 entitled to judicial review under this Chapter.

16 \* \* \*

17 §992. Applicability; exemptions; attorney fees; court costs

18 \* \* \*

19 B.

20 \* \* \*



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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 283 Original

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Seabaugh

**Abstract:** Authorizes the commissioner of insurance to seek judicial review by the district court of decisions by administrative law judges.

Present law generally prohibits any state agency, or official of the agency, from seeking judicial review of a decision by an administrative law judge.

Proposed law changes present law by authorizing the commissioner of insurance to appeal decisions by an administrative law judge involving the following:

- (1) Fines.
- (2) Revocation, denial, or suspension of any license, certificate, or registration.
- (3) Any order or directive issued pursuant to Title 22 of the Louisiana Revised Statutes of 1950.

Effective Jan. 1, 2018.

(Amends R.S. 49:964(A)(2) and 992(B)(2) and (3) and (D)(1); Adds R.S. 49:992(D)(10))