

2022 Regular Session

HOUSE BILL NO. 368

BY REPRESENTATIVE FRIEMAN

INSURANCE DEPARTMENT: Provides for judicial review of cases related to the Louisiana Insurance Code that involve the Department of Insurance

1 AN ACT

2 To enact R.S. 49:964(A)(2)(c), relative to adjudication hearings arising out of the Louisiana  
3 Insurance Code; to provide for judicial review; to provide for an effective date; and  
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 49:964(A)(2)(c) is hereby enacted to read as follows:

7 §964. Judicial review of adjudication

8 A.

9 \* \* \*

10 (2)

11 \* \* \*

12 (c) The provisions of Subparagraph (a) of this Paragraph shall not apply to  
13 the Department of Insurance or the commissioner of insurance or other person acting  
14 on behalf of the department or commissioner in appeals from adjudication of matters  
15 arising under Title 22 of the Louisiana Revised Statutes of 1950 or other insurance  
16 laws of this state.

17 \* \* \*

18 Section 2. This Act shall become effective upon signature by the governor or, if not  
19 signed by the governor, upon expiration of the time for bills to become law without signature  
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
2 effective on the day following such approval.
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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 368 Original

2022 Regular Session

Frieman

**Abstract:** Authorizes the Dept. of Insurance to seek judicial review of adjudication decisions.

Present law provides adjudication procedures for agency enforcement actions and decisions. Authorizes a person who is aggrieved by an agency's final decision or order to seek judicial review of the decision or order.

Present law provides that no agency or official thereof or other person acting on behalf of an agency or official thereof is entitled to such judicial review.

Proposed law creates an exception allowing the Dept. of Insurance, the commissioner of insurance, or other person acting on behalf of the department or commissioner to seek judicial review from adjudication of matters arising under Title 22 of the La. Revised Statutes of 1950 or other insurance laws of this state.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 49:964(A)(2)(c))