

SENATE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 341 by Senator Edmonds

1 AMENDMENT NO. 1

2 On page 1, line 2, after "R.S. 12:1853" delete "and 1854(3) and (7)," and insert ", the
3 introductory paragraph of 1854, 1854(3) and (7), the introductory paragraph of 1855(B)(1),
4 (B)(2)(b)(xiii), 1856(A)(3) and (4), and 1870, to enact R.S. 12:1856(H), and to repeal R.S.
5 12:1854(7)(e),"

6 AMENDMENT NO. 2

7 On page 1, line 8, after "R.S. 12:1853" delete "and 1854(3) and (7)," and insert ", the
8 introductory paragraph of 1854, 1854(3) and (7), the introductory paragraph of 1855(B)(1),
9 (B)(2)(b)(xiii), 1856(A)(3) and (4), and 1870 are hereby amended and reenacted and R.S.
10 12:1856(H) is hereby enacted to"

11 AMENDMENT NO. 3

12 On page 2, delete lines 6 through 24 and insert:

13 "Wherever used in this Chapter, unless a different meaning clearly appears
14 in the context, the following terms, whether used in the singular or plural, shall have
15 the following meanings **For the purposes of this Chapter the following definitions**
16 **terms shall have the following meanings:**

17 * * *

18 (3) "Fund" means the self-insurance fund established pursuant to this Chapter
19 to provide ~~property insurance~~ **commercial coverage** for churches and nonprofit
20 religious organizations and shall be known as the Louisiana Churches and Nonprofit
21 Religious Organizations Self-Insured Fund.

22 * * *

23 (7) "~~Property~~ **Commercial** coverage" means coverage for the damage or loss
24 of a structure or building and may include ~~any or all of~~ **but is not limited to** the
25 following:

- 26 (a) Premises liability coverage.
- 27 (b) Contents coverage for furniture or equipment.
- 28 (c) Wind and hail coverage.
- 29 (d) Loss of use coverage.
- 30 (e) ~~Medical payments coverage.~~

31 * * *

32 §1855. Agreement to pool liabilities; initial financial requirements

33 * * *

34 B.(1) The fund shall submit to the department an application, on an
35 application form prescribed and furnished by the department, for authority to act as
36 a group self-insurance fund for ~~property~~ **commercial** coverage. Each application
37 shall include evidence of the fund's inception, which establishes financial strength
38 and liquidity of the members to pay claims promptly and support the financial ability
39 of the fund to satisfy its obligations upon the establishment of the fund, including all
40 of the following:

41 * * *

42 (2) The application shall be in writing, on a form provided by the department,
43 and shall comply with all of the following:

44 * * *

45 (b) All applications shall be accompanied by the following items:

46 * * *

47 (xiii) ~~Proof of advance~~ **A pledge to make an advance** payment to the fund
48 by each initial member of the fund of not less than twenty-five percent of that

1 member's first year estimated annually earned normal premiums **prior to the fund**
2 **providing coverage. If the fund provides coverage prior to every initial member**
3 **of the fund making the advance payment pledged pursuant to this Item, the**
4 **commissioner shall suspend the funds' certificate or authority until every initial**
5 **member of the fund has made their pledged advance payment, and the**
6 **commissioner may take additional regulatory action as authorized in this**
7 **Chapter.**

8 * * *

9 §1856. Requirements; excess insurance; administrative and service companies;
10 status; liability; refunds

11 A. The fund established pursuant to this Chapter shall comply with all of the
12 following items:

13 * * *

14 (3) Provide **property commercial** coverage as required by this Chapter.

15 (4)(a) Maintain, on a fund-year basis, a contract or contracts of specific
16 excess insurance or reinsurance of not less than an amount that is actuarially sound
17 and approved by the department. The maximum retention under the excess insurance
18 or reinsurance contracts shall not exceed amounts ~~as may be provided~~ **authorized**
19 by the department.

20 (b) For purposes of authorizing the purchase of reinsurance as required by
21 this Subsection, the fund shall be deemed an insurer. The excess insurance or
22 reinsurance shall be purchased only from a company having a rating of A- by A.M.
23 Best Rating Services, Inc., A- by Fitch Ratings, ~~A- by Weiss Ratings,~~ A- by S&P
24 Global Ratings, or A3 by Moody's Investors Service, or better, and this reinsurance
25 may be purchased from admitted or nonadmitted companies, provided that the
26 **reinsurance purchase complies with the** provisions of R.S. 22:651 through 661,
27 and Financial Accounting Standard Number 113 as promulgated and updated by the
28 Financial Accounting Standards Board. The department shall approve all excess
29 insurance policies or reinsurance agreements prior to use by the fund.

30 * * *

31 **H. All members of the fund shall establish and maintain an aggregate**
32 **loss fund or a stop loss provision as part of the excess insurance policy**
33 **placements in an amount equivalent to not more than one year's premium for**
34 **each risk underwritten. The trust fund for each risk underwritten shall**
35 **maintain a cash reserve for each coverage year sufficient to cover payment of**
36 **the entire aggregate loss fund, as defined in the applicable excess insurance**
37 **policy or policies for that risk.**

38 * * *

39 §1870. Jurisdiction

40 **A. Except as otherwise provided in Subsection B of this Section, The the**
41 **Nineteenth Judicial District Court shall have exclusive jurisdiction over any**
42 **civil or criminal** proceeding instituted pursuant to this Chapter.

43 **B. The fund and a member of the fund may contractually agree, through**
44 **a policy of insurance or otherwise, to resolve a claim dispute through mediation**
45 **pursuant to the Louisiana Medicaiton Act, R.S. 9:4101 et seq., or appraisal**
46 **pursuant to R.S. 22:1807.11 et seq."**