

ACT No. 416

2026 Regular Session

HOUSE BILL NO. 1187

BY REPRESENTATIVE SAWYER

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AN ACT

To amend and reenact R.S. 22:2297(D)(2), 2307(G), and 2317 and to enact R.S. 22:2292(A)(13), relative to emergency assessments of the Louisiana Citizens Property Insurance Corporation; to provide for definitions; to provide for the disposition of certain monies; to provide for deposit authorization of certain monies; to provide for certain prerequisites; to provide for administrative costs; to provide for reporting requirements; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:2297(D)(2), 2307(G), and 2317 are hereby amended and reenacted and R.S. 22:2292(A)(13) is hereby enacted to read as follows:

§2292. Definitions; personal property; option to exclude

A. As used in this Part, unless the context otherwise requires:

* * *

(13) "Excess emergency assessment monies" means monies derived from emergency assessments levied pursuant to R.S. 22:2307 that are no longer required to pay, secure, or otherwise satisfy bonds or other indebtedness payable from, or secured by, emergency assessment revenues, together with any amounts required under the related financing documents for fees, expenses, reserves, and similar obligations.

* * *

1 premium. The emergency assessments under Subsection E of this Section shall
 2 continue to be levied and collected and shall be used to make any payments due with
 3 respect to any bonds issued or other indebtedness incurred with respect to a deficit
 4 for which the assessment was imposed remains outstanding, even if no event of
 5 default has occurred under the bonds or other indebtedness, unless adequate
 6 protection and provision has been made for the payment of such bonds or other
 7 indebtedness pursuant to the documents governing such bonds or other indebtedness.

8 (2) After all bonds issued or other indebtedness incurred that are payable
 9 from, secured by, or otherwise related to emergency assessments levied pursuant to
 10 Subsection E of this Section have been paid in full or are no longer outstanding by
 11 reason of defeasance or other legally effective provision for payment, any excess
 12 emergency assessment monies may be retained for the payment of future debts or
 13 used for the purposes and in the manner provided for in R.S. 22:2317(B), including
 14 as funding for the Louisiana Fortify Homes Program, as provided in R.S. 22:1483.1.

15 * * *

16 §2317. Refund and use of certain assessments

17 A. At the time of issuance or annual renewal of a property insurance policy,
 18 each insurer shall include the following with the policy sent to each insured:

19 (1) ~~Information~~ As applicable, information on the electronic link to the form
 20 designated by the Department of Revenue to receive a refund from the state after its
 21 payment by the insured ~~pursuant to R.S. 47:6025(A)(3)~~ for the amount of any
 22 surcharge, market equalization charge, or other assessment levied by the corporation
 23 pursuant to R.S. 22:2307 due to Hurricanes Katrina and Rita.

24 (2) ~~As applicable,~~ a statement in fourteen-point or boldface type that any
 25 surcharge, market equalization charge, or other assessment levied by the corporation
 26 pursuant to R.S. 22:2307 due to Hurricanes Katrina and Rita is refundable.

27 B. Notwithstanding any other law to the contrary, the corporation shall not
 28 transfer, donate, expand, or otherwise dispose of emergency assessment monies for
 29 purposes of this Subsection, unless and until all bonds or other indebtedness payable
 30 from or secured by emergency assessment revenues have been paid in full or are no

1 longer outstanding by reason of defeasance or other legally effective provision for
2 payment under the related financing documents.

3 C. Within ninety days of the provisions of Subsection B of this Section being
4 satisfied, the governing board of the corporation shall adopt a resolution certifying
5 the requirements of Subsection B of this Section have been satisfied and the amount,
6 if any, of excess emergency assessment monies and directing the transfer of such
7 monies for the purposes authorized pursuant R.S. 22:2307(G) and this Section.

8 D. Following certification pursuant to Subsection C of this Section, excess
9 emergency assessment monies may be transferred to the Louisiana Fortify Homes
10 Program Fund provided for in R.S. 22:1483.1, and such funds shall be used only for
11 the purposes authorized pursuant to R.S. 22:1483.1.

12 E. Following the certification required by Subsection C of this Section, the
13 corporation shall transfer excess emergency assessment monies, in accordance with
14 the resolution adopted by the board of directors, to the state treasurer for deposit into
15 the state treasury for deposit into the Louisiana Fortify Homes Program Fund, in
16 accordance with R.S. 22:1483.1, for the exclusive purpose of funding the Louisiana
17 Fortify Homes Program in accordance with the provisions of R.S. 22:1483.1.

18 F. The corporation may expend a reasonable amount of excess emergency
19 assessment monies to pay actual, necessary, and documented costs associated with
20 determining the excess emergency assessment monies, supporting the certification,
21 and effectuating the transfer of monies pursuant to the provisions of this Section.
22 The governing board shall approve such costs by resolution.

23 G. The corporation shall submit to the House and Senate committees on
24 insurance and shall post on its public website all of the following:

25 (1) The board resolution required pursuant to Subsection C of this Section.

26 (2) A report within sixty days of the transfer of monies pursuant to
27 Subsection E of this Section, stating the amount transferred, the administrative costs
28 paid in accordance with Subsection F of this Section, and the date of transfer.

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____