

2025 Regular Session

HOUSE BILL NO. 329

BY REPRESENTATIVES HEBERT, BAMBURG, CARLSON, CARVER, CHENEVERT,
COATES, DOMANGUE, HENRY, AND MELERINE

1 AN ACT

2 To enact R.S. 22:439(A)(1)(c), (E), and (F), 821(C), and 831(C), relative to revenues
3 collected by the Department of Insurance; to dedicate certain revenues to the
4 Louisiana Fortify Homes Program Fund; to provide with respect to the powers and
5 duties of the commissioner of the Department of Insurance; to provide for an
6 effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:439(A)(1)(c), (E), and (F), 821(C), and 831(C) are hereby enacted
9 to read as follows:

10 §439. Tax on surplus lines and unauthorized insurance

11 A.(1) There shall be a tax of four and eighty-five one hundredths of one
12 percent per annum on the gross premium without regard to the location of the
13 covered property, risk, or exposure for all insurance placed through a Louisiana
14 licensed surplus lines broker with a surplus lines insurer or other unauthorized
15 insurer and for which Louisiana is the home state of the policyholder as defined in
16 R.S. 22:46. The commissioner shall collect the tax and deposit it with the state
17 treasurer who shall credit it as follows:

18 * * *

19 (c) Each fiscal year, the first five million dollars of the tax collected shall be
20 credited to the Louisiana Fortify Homes Program Fund, established pursuant to R.S.
21 22:1483.1.

22 * * *

E.(1) The commissioner may enter into cooperative endeavor agreements or other agreements for the receipt of policy information on surplus lines, directly placed, and other unauthorized insurance subject to the tax imposed by this Section.

(2) An agreement entered into pursuant to this Subsection may provide for
any of the following:

(a) The use of a clearinghouse to perform functions required pursuant to the agreement.

(b) The collection of policy data in addition to premium.

(c) The computation of the tax due on the portion of premium attributable to each risk classification.

(d) The assessment of a clearinghouse transaction fee.

(e) The reporting of insurance transactions or policyholders that are exempt
from the tax imposed by this Section.

(f) Any other provisions that facilitate the administration or collection of the
tax imposed by this Section.

F. The commissioner may promulgate and adopt rules and regulations in accordance with the Administrative Procedure Act for the administration and enforcement of the provisions of this Section, including the assessment of a clearinghouse transaction fee.

* * *

§821. Fees

* * *

C. The treasurer shall deposit into the Louisiana Fortify Homes Program Fund, established pursuant to R.S. 22:1483.1, monies from each of the following fees collected pursuant to the provisions of this Section:

(1) One thousand dollars from each annual financial regulation fee, pursuant
to Paragraph (B)(2) of this Section.

(2) Fifteen dollars from each first time applicant fee, each application to add
lines fee, each initial company appointment fee, each renewal company appointment

1 of individual fee, each producer renewal fee for one line, and each producer renewal
2 fee for two or more lines, pursuant to Subparagraph (B)(3)(b) of this Section.

3 (3) Fifteen dollars from each claims adjuster license and registration fee for
4 business entities and residents and nonresidents pursuant to Subparagraphs
5 (B)(23)(a) and (b) of this Section.

6 (4) Fifteen dollars from each public adjuster license fee for business entities
7 and residents and nonresidents pursuant to Paragraph (B)(24) of this Section.

8 * * *

9 §831. Fire, marine, transportation, casualty, surety, or other insurance

10 * * *

11 C. Each fiscal year, the treasurer shall deposit into the Louisiana Fortify
12 Homes Program Fund, established pursuant to R.S. 22:1483.1, five million dollars
13 of the taxes collected pursuant to this Section.

14 Section 2. This Act shall become effective on July 1, 2026.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____