

Regular Session, 2011

ACT No. 9

HOUSE BILL NO. 137

BY REPRESENTATIVE CORTEZ AND SENATORS LONG AND QUINN

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

1 AN ACT

2 To enact R.S. 22:1567, relative to producer compensation; to authorize producers and
3 certain insurers or policyholders to negotiate any combination of commissions, fees,
4 or fees in lieu of commissions, for certain insurance coverages; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:1567 is hereby enacted to read as follows:

8 §1567. Producers' compensation in form of fees; commercial property and casualty
9 insurance; criteria for policyholders

10 Notwithstanding any other provision of law to the contrary, an insurance
11 producer may negotiate with both or either a property and casualty insurer or a
12 commercial policyholder, including a governmental entity pursuant to R.S.
13 42:1123(37)(b), to compensate the insurance producer for the placement of
14 commercial property and casualty insurance coverages by any combination of
15 commissions, fees, or fees in lieu of commissions if the commercial insurance
16 policyholder, including a governmental entity pursuant to R.S. 42:1123(37)(b), meets
17 one of the following criteria:

18 (1) Has total annual property and casualty insurance premiums in excess of
19 five hundred thousand dollars.

20 (2) Obtains insurance coverage with a per occurrence or per claim deductible
21 or self-insured retention of fifty thousand dollars or more for workers' compensation,
22 general liability, or automobile insurance coverages.

- 1 (3) Has a net worth in excess of twenty-five million dollars.
- 2 (4) Qualifies as a self-insurer with the state of Louisiana.
- 3 (5) Is a governmental entity that had a contract prior to August 9, 2010, with
- 4 an insurance producer on a stipulated fee basis for the placement of commercial
- 5 property and casualty insurance coverages.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____