The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Cheryl Horne.

DIGEST

SB 154 Original | 2015 Regular Session | Gary Smith

Present law creates the division of insurance fraud within the Department of Insurance that is charged with the responsibility to conduct investigations and background criminal checks on each applicant for a license or certificate of authority to transact a business of insurance. In the event the applicant is a corporation, partnership, or other legal entity, background checks shall be limited to those individuals who are directors, officers, employees, or individuals who own or control at least ten percent of the entity.

Proposed law retains present law and requires an individual who intends to succeed to a position as director, officer, or employee, or who controls at least ten percent of the entity to undergo an investigation and criminal background check.

Present law requires the division of insurance fraud to have access to computer systems, information maintained for the use of law enforcement personnel, any information contained in the criminal history record and identification file of the Louisiana Bureau of Criminal Identification and Information, and direct and timely access to information compiled by the Federal Bureau of Investigation, as contained in the National Crime Information Center.

Proposed law retains present law and permits the commissioner to require each applicant for a license or certificate of authority to submit fingerprints to verify the identity of the applicant. An applicant's fingerprints shall be made electronically or by ink and converted to electronic format.

Proposed law authorizes the commissioner to require fingerprints and fees of applicants and to submit the fingerprints and the associated fee to perform the criminal history record checks to the Louisiana Bureau of Criminal Identification and Information as well as the FBI for state and national criminal history record checks. Each applicant shall submit a full set of fingerprints in order for the commissioner to obtain and receive National Criminal History Records from the FBI Criminal Justice Information Services Division.

Proposed law permits the commissioner to contract for the collection, transmission, and resubmission of fingerprints required under proposed law. Any fee for services by the contractor shall be payable directly to the contractor by the applicant.

Proposed law permits the commissioner to receive criminal history record information from sources other than the Louisiana Bureau of Criminal Identification and Information.

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

(Amends R.S.22:1921 and 1922)