

13. The Financial Analysis Handbook, 2023 edition.
14. The Own Risk and Solvency Assessment Guidance Manual, 2023 edition.
15. The Purposes and Procedures Manual of the NAIC Investment Analysis Office, 2023 edition.
16. The Risk-Based Capital Forecasting and Instructions, 2023 edition.
17. The Market Regulation Handbook, 2023 edition.

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**AUTHORITY NOTE:** Promulgated in accordance with R.S. 22:11, 258, 619(B), 640(B), 675, 661(A), 691.11, 691.54, and 1804.

**HISTORICAL NOTE:** Promulgated by the Department of Insurance, Commissioner of Insurance, LR 45:1208 (September 2019), amended LR 46:993 (July 2020), amended LR 47:1328 (September 2021), LR 48:2299 (September 2022), amended LR 49:1410 (August 2023), LR 51:73 (January 2025).

Timothy J. Temple  
Commissioner

2501#020

## RULE

### Department of Insurance Office of the Commissioner

#### Regulation 132—Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund (LAC 37:XIII.Chapter 201)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby promulgates Regulation 132—Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund.

The Department of Insurance is promulgating Regulation 132 to comply with Act No. 259 of the 2023 Regulation Session of the Louisiana Legislature that enacted R.S. 22:472.1 through 472.20 authorizing the creation of the Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund and giving the Department of Insurance authority over such fund. Act 259 directed the Louisiana State Law Institute to redesignate R.S. 22:472.1 through 472.20 as R.S. 12:1851 through 1870. This Rule is hereby adopted on the day of promulgation.

#### Title 37

#### INSURANCE

#### Part XIII. Regulations

#### Chapter 201. Regulation Number 132—Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund

##### §20101. Definitions

A. For the purposes of Regulation 125, the following terms are defined as follows:

*Commissioner*—the Commissioner of Insurance of the state of Louisiana.

*Department*—the Department of Insurance of the state of Louisiana.

*Fund*—the self-insurance fund established pursuant to R.S. 12:1851 et seq. to provide property insurance for churches and nonprofit religious organizations and shall be

known as the Louisiana Churches and Nonprofit Religious Organizations Self-Insured Fund.

*Insolvency*—the condition existing when the fund's liabilities are greater than the fund's assets as determined in accordance with generally accepted accounting principles as delineated in the fund's financial statement audited by an independent certified public accountant and calculated before a member's distribution is payable or before a dividend is declared.

*Members Distribution Payable/Surplus*—assets of the fund in excess of loss reserves, actual and contingent liabilities and loss development reserves in all fund years.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 22:11, 12:1851 et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:74 (January 2025).

##### §20103. Excess Insurance or Reinsurance

A. The fund shall maintain excess insurance or reinsurance in the amount approved by the commissioner, based on an actuarially sound catastrophe model that limits the fund's exposure on any one loss occurrence to 20 percent of its members distribution payable/surplus or an amount authorized by the commissioner.

1. The fund shall submit a feasibility study prepared by a qualified actuary which analyzes the impact the specific retention on the fund.

2. No fund shall secure a retention which in the commissioner's opinion is not actuarially sound.

3. The commissioner shall deny the use of a retention if he finds that the higher retention will have a significant adverse effect on the financial condition of the fund.

B. The excess insurance or reinsurance coverage shall provide for one or more reinstatements.

C. All excess insurance or reinsurance agreements shall be approved by the department prior to execution.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 22:11, 12:1851 et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:74 (January 2025).

##### §20105. Financial and Actuarial Reports

A. At inception and thereafter, the fund shall either:

1. Provide evidence satisfactory to the commissioner that it possesses surplus in excess of \$3,000,000, or

2. Submit a current audited financial statement, audited by an independent certified public accountant, of at least two members showing, at the inception of the fund, a combined net worth of a minimum of \$1,000,000, current financial statements of all other members, a combined ratio of current assets to current liabilities of more than one to one, a combined working capital of an amount establishing financial strength and liquidity of the members to pay normal compensation claims promptly, and showing evidence of the financial ability of the group to meet its obligations. An audited or a financial statement properly certified by an officer, owner, or partner for all members joining the fund after the inception date shall be submitted to the commissioner until such time as an audited financial statement is available for the fund as a whole. Thereafter, the filing of member financial statements with the department is no longer required. In no event shall the cumulative net

worth or ratio of the current assets to current liabilities of all members be less than that required in this Subsection.

B. An annual financial statement audited by an independent certified public accountant shall be due annually within six months of the close of the fiscal year of the fund, unless an extension is granted by the commissioner.

C. Actuarial reviews shall be made by a qualified actuary. Actuarial reports shall be due and filed at the same time as the fund's annual financial statement, except as otherwise provided by the commissioner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 12:1851 et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:74 (January 2025).

#### **§20107. Insolvencies**

A. Pursuant to R.S. 12:1862(D)(1), the fund is subject to delinquency proceedings that shall be governed by the applicable provisions of R.S. 22:731, et seq., pertaining to administrative supervisions, or the applicable provisions of R.S. 22:2001, et seq., pertaining to receivership, that are not inconsistent with the provisions of R.S. 12:1851, et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 12:1851 et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:75 (January 2025).

#### **§20109. Cease and Desist Orders and Other Penalties**

A.1 After notice and opportunity for a hearing, the commissioner may issue an order requiring a person or group to cease and desist from engaging in an act or practice found to be not in compliance with R.S. 12:1851, et seq. or with any rule promulgated by the department pursuant to the Administrative Procedure Act or order or directive issued by the department. Any cease and desist order issued under this Section may include a prohibition against the fund writing any new or renewal business.

2. After notice and opportunity for a hearing, the commissioner may suspend or revoke the certificate of authority of the fund found to be not in compliance with R.S. 12:1851, et seq. or with any rule promulgated by the department pursuant to the Administrative Procedure Act or order or directive issued by the department.

B. Upon the determination that the fund failed to comply with any provision of R.S. 12:1851 et seq., any rule or regulation promulgated by the department, or orders or directives issued by the commissioner, the department may levy a fine of up to \$2,000 for each violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 12:1851 et seq., and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 51:75 (January 2025).

Timothy J. Temple  
Commissioner

2501#019

## **RULE**

### **Department of Wildlife and Fisheries Wildlife and Fisheries Commission**

#### **Recreational and Commercial Harvests; Prohibitions (LAC 76:XV.101)**

The Wildlife and Fisheries Commission does hereby amend LAC 76:XV.101 Recreational and Commercial Harvest Limits and Prohibitions relative to native and nonnative reptile and amphibian regulations, including general considerations, collecting, methods of collection, restraint and handling, housing and maintenance, permitting, and licensee responsibilities.

The commission also amends the original Rule to clarify and/or modify language regarding access to potable water for captive reptiles; enclosure sizes for snakes, turtles, and tortoises; and the grace period for registering prohibited or restricted species with the department, as well as commercial sale of said species, as applicable. This Rule is hereby adopted on the day of promulgation.

#### **Title 76**

### **WILDLIFE AND FISHERIES**

#### **Part XV. Reptiles and Amphibians**

##### **Chapter 1. Guidelines**

#### **§101. Recreational and Commercial Harvests; Prohibitions**

A. Purpose. These regulations are to govern the collection, commerce, captive maintenance, and research and management of native and certain exotic species of reptiles and amphibians. Consistent with the constitutional authority and legislative mandates, the Wildlife and Fisheries Commission and Department of Wildlife and Fisheries support the following guidelines, principles and regulations for collectors, buyers/dealers and any person handling native species of reptiles and amphibians.

##### **B. General Considerations**

1. The living conditions of animals held in captivity shall be appropriate for that species and contribute to their health and well-being. The housing, feeding, and nonmedical care of the animals shall be directed by a person experienced in proper care, handling, and use of the species being maintained and follow species appropriate industry guidelines such as Association of Zoos and Aquariums (AZA) Animal Wellbeing Resources and the American Society of Ichthyologists and Herpetologists Guidelines for Use of Live Amphibians and Reptiles in Field and Laboratory Research.

2. It is unlawful to release, within the state, captive or wild native or nonnative reptiles and amphibians, from within or outside the state, unless approved and permitted by the department in accordance with R.S. 56:20.A. Exceptions may be granted for department-permitted Nuisance Wildlife Control Operators (NWCOS).

3. Endangered, threatened, or restricted species shall not be removed from the wild, nor imported or exported, except in compliance with applicable regulations.