



LOUISIANA DEPARTMENT OF INSURANCE

TIMOTHY J. TEMPLE
COMMISSIONER

June 10, 2025

The Honorable Cameron Henry
President of the Senate
P.O. Box 94183
Baton Rouge, LA 70804

Via email
apa.senatepresident@legis.la.gov

The Honorable Phillip R. DeVillier
Speaker of the House
P.O. Box 94062
Baton Rouge, LA 70804

Via email
apa.housespeaker@legis.la.gov

The Honorable Kirk Talbot
Senate Committee on Insurance
P.O. Box 94183
Baton Rouge, LA 70804

Via email
apa.s-ins@legis.la.gov

The Honorable Michael “Gabe” Firment
House Committee on Insurance
P.O. Box 94062
Baton Rouge, LA 70804

Via email
apa.h-ins@legis.la.gov

RE: Notice of Intent to Promulgate Regulation 135 – Advisory Board or Commission

Dear President Henry, Speaker DeVillier, Senator Talbot, and Representative Firment:

The Louisiana Department of Insurance (LDI) hereby submits the following Notice of Intent required by [La. R.S. 49:950](#), et seq, and announces its intention to proceed with the promulgation of Regulation 135, which is to be published as a Notice of Intent in the June 2025 edition of the Louisiana Register.

Interested persons are provided an opportunity to submit comments to the LDI on the proposed regulation. The LDI will acknowledge any oral or written comments by the expiration of the comment period.

Enclosure: Notice of Intent to Promulgate Regulation 135 – Advisory Board or Commission

5. Describe the Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation and Utilities Assistance. The proposed amended regulation should have no effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The impact of the proposed amended regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed amended regulation is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental, and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed amended regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

1. Identification and Estimate of the Number of the Small Businesses Subject to the Proposed Rule. The proposed amended regulation should have no measurable impact upon small businesses.

2. The Projected Reporting, Record Keeping, and Other Administrative Costs Required for Compliance with the Proposed Rule, Including the Type of Professional Skills Necessary for Preparation of the Report or Record. The proposed amended regulation should have no measurable impact upon small businesses.

3. A Statement of the Probable Effect on Impacted Small Businesses. The proposed amended regulation should have no measurable impact upon small businesses.

4. Describe any Less Intrusive or Less Costly Alternative Methods of Achieving the Purpose of the Proposed Rule. The proposed amended regulation should have no measurable impact on small businesses; therefore, there is no less intrusive or less costly alternative method of achieving the purpose of the proposed regulation.

Provider Impact Statement

1. Describe the Effect on the Staffing Level Requirements or Qualifications Required to Provide the Same Level of Service. The proposed amended regulation will have no effect.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed amended regulation will have no effect.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of Service. The proposed amended regulation will have no effect.

Public Comments

Interested persons who wish to make comments may do so by writing to Jacob Carter, Staff Attorney, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214, or by faxing comments to (225) 342-1632, or electronically at regulations@ldi.la.gov. Comments will be accepted through the close of business, 4:30 p.m., July 20, 2025.

Timothy J. Temple
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Regulation 120—Administrative and Agency Proceedings Instituted against a License

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule is not anticipated to result in implementation costs or savings to the state or local governmental units. The proposed rule revisions amend Regulation 120, which was implemented to establish procedures for the governance of administrative action against a license. Act 135 and Act 487 of the 2024 Regular Legislative Session added a provision for notices of intent and for regulatory actions to be sent to the licenses via electronic means. Therefore, this regulation is amended to provide for electronic delivery.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will have no impact on state or local government revenues.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule will benefit administrative and agency proceedings by amending the rule to provide electronic delivery.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule will have no impact on competition and employment in the state.

Chris Cerniauskas
Chief of Staff
2506#052

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Insurance Office of the Commissioner

Regulation 135—Advisory Board or Commission
(LAC 37:XIII.Chapter 207)

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 gives notice of its intent to promulgate Regulation 135—Advisory Board or Commission.

The Department of Insurance promulgates Regulation 135 to comply with Act 339 of the 2024 Regular Session of the Louisiana Legislature which amended R.S. 22:2161. Regulation 135 provides the commissioner with the authority to create and operate advisory boards or commissions.

Title 37
INSURANCE

Part XIII. Regulations

Chapter 207. Regulation 135—Advisory Board or Commission

§20701. Authority

A. The commissioner issues Regulation 135 pursuant to the provisions of Act 339 of the 2024 Regular Session of the Louisiana Legislature and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq. R.S. 22:11.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, R.S. 22:11, Act 339, 2024 Regular Session of the Louisiana Legislature, 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:

§20703. Purpose

A. The purpose of Regulation 135 is to implement the provisions of Act 339 of the 2024 Regular Session of the Louisiana Legislature, which allows the commissioner to create advisory boards or commissions to advise with respect to the availability and affordability of insurance and other insurance matters the commissioner may submit for consideration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, R.S. 22:11, Act 339, 2024 Regular Session of the Louisiana Legislature, 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:

§20705. Definitions

Commissioner—Commissioner of Insurance

Conflicts of Interest—when a member's immediate family member, or legal entity in which they have a substantial economic interest bids on or enters into or has a substantial economic interest in any contract, subcontract, or other transaction which is under the supervision or jurisdiction of the agency of such appointed member.

Department—Louisiana Department of Insurance.

Open Meetings Law—provisions of law regarding public meetings pursuant to R.S. 42:11 et seq.

Public Records Law—provisions of law regarding public records pursuant to R.S. 44:1 et seq.

Quorum—means a simple majority of the total membership of an advisory board or commission.

§20707. Creation

A. The commissioner may create an advisory board or commission. For any advisory board or commission so created, the commissioner may appoint members to the advisory board or commission, appoint the Chair, Vice Chair, and other officers and staff, and designate the number of members. The commissioner may charge the advisory board or commission to study and report on any subject matter relative to the availability and affordability of insurance and other insurance matters.

B. Subject to approval of the commissioner, the Chair and Vice Chair may create, appoint members, and charge a subcommittee on any issue within the charge of the advisory board or commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, R.S. 22:11, Act 339, 2024 Regular Session of the Louisiana Legislature, 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:

§20709. Duty

A. An advisory board or commission is responsible for providing guidance and recommendations regarding the availability and affordability of insurance products for the residents of Louisiana and other matters relative to the insurance industry of this state that the commissioner may submit to the advisory board or commission. In doing so, an advisory board or commission shall submit substantive conclusions and recommendations in their reports as requested by the commissioner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, R.S. 22:11, Act 339, 2024 Regular Session of the Louisiana Legislature, 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:

§20711. Governance

A. A majority of the members of the advisory board or commission shall constitute a quorum for the transaction of official business. All official actions of the advisory board or commission shall require the affirmative vote of the majority of the members voting.

B. The advisory board or commission shall meet at least once each quarter, unless the commissioner prescribes a different schedule. The commissioner may remove members who fail to regularly attend meetings and/or provide effective advice regarding the availability and affordability of insurance products for the residents of Louisiana and other matters relative to the insurance industry of Louisiana that the commissioner may submit to the advisory board or commission.

C. No appointed member of any board or commission, immediate family member, or legal entity in which they have a substantial economic interest shall bid on or enter into or have a substantial economic interest in any contract, subcontract, or other transaction which is under the supervision or jurisdiction of the Department of such appointed member. Moreover, no member, immediate family member, or legal entity in which said member has a controlling interest shall bid on or enter into or have a substantial economic interest in any contract, subcontract, or other transaction involving the Department. Members must disclose their conflicts of interest prior to any transaction, contract, subcontract, or meeting.

D. All material or information presented at the meeting shall be subject to the Louisiana Public Records Law and the Secretary shall publish the minutes of meetings.

E. All meetings shall adhere to Louisiana's Open Meetings Law. La. R.S. 42:11.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, R.S. 22:11, Act 339, 2024 Regular Session of the Louisiana Legislature, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR

§20713. Termination

A. All advisory boards or commissions shall terminate at the conclusion of the commissioner's four-year term. However, the commissioner may otherwise provide for conditions for the termination of the advisory board or commission. The commissioner may terminate an advisory board or commission at any time.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, R.S. 22:11, Act 339, 2024 Regular Session of the Louisiana Legislature, 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:

§20715. Severability

A. If any section or provision of Regulation 135 or the application to any person or circumstance is held invalid, such invalidity or determination shall not affect other sections or provisions or the application of Regulation 135 to any persons or circumstances that can be given effect without the invalid Section or provision or application, and for these purposes the Sections and provisions of Regulation 135 and the application to any persons or circumstances are severable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, R.S. 22:11, Act 339, 2024 Regular Session of the Louisiana Legislature, 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:

§20717. Effective Date

A. Regulation 135 shall become effective upon final publication in the *Louisiana Register*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, R.S. 22:11, Act 339, 2024 Regular Session of the Louisiana Legislature, 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:

Family Impact Statement

1. Describe the Effect of the Proposed Regulation on the Stability of the Family. The proposed regulation should have no measurable impact upon the stability of the family.

2. Describe the Effect of the Proposed Regulation on the Authority and Rights of Parents Regarding the Education and Supervision of Their Children. The proposed regulation should have no impact upon the rights and authority of parents regarding the education and supervision of their children.

3. Describe the Effect of the Proposed Regulation on the Functioning of the Family. The proposed regulation should have no direct impact upon the functioning of the family.

4. Describe the Effect of the Proposed Regulation on Family Earnings and Budget. The proposed regulation should have no direct impact upon family earnings and budget.

5. Describe the Effect of the Proposed Regulation on the Behavior and Personal Responsibility of Children. The proposed regulation should have no impact upon the behavior and personal responsibility of children.

6. Describe the Effect of the Proposed Regulation on the Ability of the Family or a Local Government to Perform the Function as Contained in the Rule. The proposed regulation should have no impact upon the ability of the family or a local governmental unit to perform the function as contained in the rule.

Poverty Impact Statement

1. Describe the Effect on Household Income, Assets, and Financial Security. The proposed regulation should have no effect on household income assets and financial security.

2. Describe the Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed regulation should have no effect on early childhood development and preschool through postsecondary education development.

3. Describe the Effect on Employment and Workforce Development. The proposed regulation should have no effect on employment and workforce development.

4. Describe the Effect on Taxes and Tax Credits. The proposed regulation should have no effect on taxes and tax credits.

5. Describe the Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation and Utilities Assistance. The proposed regulation should have no effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The impact of the proposed regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed regulation is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental, and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

1. Identification and Estimate of the Number of the Small Businesses Subject to the Proposed Rule. The proposed regulation should have no measurable impact upon small businesses.

2. The Projected Reporting, Record Keeping, and Other Administrative Costs Required for Compliance with the Proposed Rule, Including the Type of Professional Skills Necessary for Preparation of the Report or Record. The proposed regulation should have no measurable impact upon small businesses.

3. A Statement of the Probable Effect on Impacted Small Businesses. The proposed regulation should have no measurable impact upon small businesses.

4. Describe any Less Intrusive or Less Costly Alternative Methods of Achieving the Purpose of the Proposed Rule. The proposed regulation should have no measurable impact on small businesses; therefore, there is no less intrusive or less costly alternative method of achieving the purpose of the proposed regulation.

Provider Impact Statement

1. Describe the Effect on the Staffing Level Requirements or Qualifications Required to Provide the Same Level of Service. The proposed regulation will have no effect.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

Public Comments

Interested persons who wish to make comments may do so by writing to Jacob Carter, Staff Attorney, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA

70804-9214, or by faxing comments to (225) 342-1632, or electronically at regulations@ldi.la.gov. Comments will be accepted through the close of business, 4:30 p.m., July 20, 2025.

Timothy J. Temple
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Regulation 135—Advisory Board or Commission

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule is not anticipated to result in implementation costs or savings to the state or local governmental units. The regulation implements the provisions of Act 339 of the 2024 Regular Session, which gives the commissioner authority to create advisory boards or commissions. The boards or commissions will be responsible for studying or reporting on any subject matter related to the availability and affordability of insurance and other insurance matters. The Louisiana Department of Insurance will absorb any additional workload associated with the proposed rule with existing staff and resources.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will have no impact on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

There is no anticipated impact to costs/economic benefits associated with the implementation of Act 339 of the 2024 Regular Session allowing the commissioner to create advisory boards or commissions. The proposed rule will implement the authority of the commissioner to create boards or commissions to study and provide guidance and recommendations regarding the availability and affordability of insurance products for the residents of Louisiana.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated impact on competition and employment associated with the implementation of Act 339 of the 2024 Regular Session allowing the commissioner to create advisory boards or commissions. The proposed rule will implement the authority of the commissioner to create boards or commissions to study and provide guidance and recommendations regarding the availability and affordability of insurance products for the residents of Louisiana.

Chris Cerniauskas
Chief of Staff
2506#051

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Chronic Wasting Disease Control Areas (LAC 76:V.137)

The Wildlife and Fisheries Commission hereby amends the Rules and Regulations for Chronic Wasting Disease (“CWD”) Control Areas by reducing the portions of the existing Control Area where supplemental feeding and baiting is prohibited and adding new areas to the Control Area due to a recent CWD confirmed case found in a harvested white-tailed deer in Catahoula Parish.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and compiling public comments and submissions for the commission’s review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed Rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

Title 76

WILDLIFE AND FISHERIES

Part V. Wild Quadrupeds and Wild Birds

Chapter 1. Wild Quadrupeds

§137. Rules and Regulations for Chronic Wasting Disease Control Areas

A. Definitions

Cervid—any animal of the family *Cervidae* including, but not limited to, white-tailed deer, mule deer, elk, moose, caribou “reindeer”, fallow deer, axis deer, sika deer, and red deer.

Chronic Wasting Disease (CWD)—Neurodegenerative disease found in most deer species, including white-tailed deer, mule deer, elk, red deer, moose, and caribou. It is infectious, always fatal, and has no treatment. CWD is part of a group of diseases known as transmissible spongiform encephalopathies (TSEs) and is similar to BSE (mad cow disease) in cattle and scrapie in sheep. These diseases cause irreversible damage to brain tissue, which leads to excessive salivation, neurological symptoms, emaciation, and death of the animal.

Control Area—a designated area consisting of the CWD infectious zone and buffer zone where mitigation measures and regulations are applied to curb further spread of the disease. The Control Area is established and defined by the map below: