

TECHNICAL ADVISORY

INDEPENDENT INSURANCE AGENTS OF LOUISIANA

TA 174

January 11, 2001

SUBJECT: Insurance Countersignature Laws

BACKGROUND: During the 1999 Regular Legislative Session, legislation initiated by the Louisiana Department of Insurance (LDI) was passed to repeal countersignature requirements from the Louisiana Insurance Code. The primary purpose of the countersignature repeal was to comply with the reciprocity provisions required by the Gramm-Leach-Bliley NARAB provisions.

MAIN POINTS: The Louisiana Attorney General's office has issued an opinion (#00-249, attached) which states that the 1999 legislation (Act 882) repeals provisions which appear in several places in the Louisiana Insurance Code. These repeals eliminate requirements in the Insurance Code which have, until now, required that insurance policies and surety bonds issued in Louisiana be signed by a Louisiana licensed resident agent.

Additional countersignature requirements in the public bid laws, RS 38:2216 and RS 38:2218, however, were not repealed. Since the legislature did not repeal countersignature requirements outside the Insurance Code, those requirements are still in effect.

NECESSARY ACTION: Circulate this Technical Advisory and attached Attorney General's opinion to the appropriate agency staff.