

La. R.S. § 22:2509

Current through the 2024 First Extraordinary Session and Act 22 of the Second Extraordinary Session.
Revisions of the Louisiana State Law Institute now current through all titles received as of February 1,
2024.

*LexisNexis® Louisiana Annotated Statutes > Louisiana Revised Statutes > Title 22. Insurance (Chs. 1 — 22)
> Chapter 21. Insurance Data Security (§§ 22:2501 — 22:2511)*

§ 22:2509. Exemptions

A. A licensee shall be exempt from the provisions of R.S. 22:2504 if the licensee meets any of the following criteria:

- (1) Having fewer than twenty-five employees.
- (2) Less than five million dollars in gross annual revenue.
- (3) Less than ten million dollars in year-end total assets.
- (4) Being subject to the Health Insurance Portability and Accountability Act, Pub.L. 104-191, 110 Stat. 1936, and doing all of the following:
 - (a) Establishing and maintaining an information security program pursuant to any statutes, rules, regulations, procedures, or guidelines established pursuant to the Health Insurance Portability and Accountability Act.
 - (b) Complying with and submitting, upon request of the commissioner, a written statement certifying compliance with the information security program established and maintained pursuant to Subparagraph (a) of this Paragraph.
- (5) Being an employee, agent, representative, or designee of a licensee, who is also a licensee, to the extent that the employee, agent, representative, or designee is covered by the information security program of the other licensee.
- (6) Being affiliated with a depository institution subject to the Interagency Guidelines Establishing Information Security Standards pursuant to the Gramm-Leach-Bliley Act, 15 U.S.C. 6801 and 6805, and doing all of the following:
 - (a) Establishing and maintaining an information security program pursuant to any statutes, rules, regulations, procedures, or guidelines established pursuant to the Gramm-Leach-Bliley Act.
 - (b) Complying with and submitting, upon request of the commissioner, a written statement certifying compliance with the information security program established and maintained pursuant to Subparagraph (a) of this Paragraph.
- (7) Being subject to another jurisdiction approved by the commissioner and doing all of the following:

- (a)** Establishing and maintaining an information security program pursuant to such statutes, rules, regulations, procedures, or guidelines established by another jurisdiction.
- (b)** Complying with and submitting a written statement certifying its compliance with the information security program established and maintained pursuant to Subparagraph (a) of this Paragraph.

B. In the event that a licensee ceases to qualify for an exemption pursuant to Subsection A of this Section, the licensee shall have one hundred eighty days to comply with the provisions of this Chapter.

C. A licensee that is subject to R.S. 51:3076 shall be exempt from the provisions of R.S. 22:2506 if the licensee does all of the following:

- (1)** Notifies affected consumers of cybersecurity events relating to the licensee's insurance business in a manner consistent with the requirements of the Gramm-Leach-Bliley Act.
- (2)** Notifies the commissioner of cybersecurity events relating to the licensee's insurance business in a manner consistent with and at the same time as the notice the licensee gives to federal regulatory authorities.

History

Acts 2020, No. 283, § 1, effective August 1, 2020.

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