

# HB161 INTRODUCED



1 G8ZR62-1  
2 By Representative Faulkner  
3 RFD: Insurance  
4 First Read: 21-Mar-23  
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SYNOPSIS:

Under existing law, the Department of Insurance may give notice of a hearing relating to matters which would otherwise require separate notices to more than 50 persons by publication in two or more newspapers of general circulation in this state at least once each week during the four weeks immediately preceding the week in which the hearing is to be held. The department is also required to give the same notice by publication for hearings related to consideration of rules of the Commissioner of Insurance.

This bill would authorize the department to post a notice of a hearing for the consideration of matters which would otherwise require separate notices to more than 50 persons at least 30 days prior to the hearing on a website maintained by the department in lieu of publication in newspapers.

This bill would also require the department to post notices of hearings held for consideration of rules of the commissioner for at least 35 days prior to the hearing on a website maintained by the department and to publish the notices in the Alabama Administrative Monthly.

A BILL



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TO BE ENACTED

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AN ACT

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32 Relating to the Insurance Department; to amend Section  
33 27-2-39 of the Code of Alabama 1975, to authorize the  
34 department to post notice of hearings for the consideration of  
35 matters which would otherwise require separate notices to more  
36 than 50 persons on a website maintained by the department; and  
37 to require the department to post notices of hearings held for  
38 consideration of rules of the commissioner on a website  
39 maintained by the department and to publish the notices in the  
40 Alabama Administrative Monthly.

41 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

42 Section 1. Section 27-2-39, Code of Alabama 1975, is  
43 amended to read as follows:

44 "§27-2-29

45 (a) (1) Except where a longer period of notice is  
46 provided by other provisions of this title relative to  
47 particular matters, not less than 10 days in advance the  
48 commissioner shall give notice of the time and place of the  
49 hearing, stating the matters to be considered ~~thereat~~. If the  
50 persons to be given notice are not specified in the provision  
51 pursuant to which the hearing is held, the commissioner shall  
52 give ~~such~~ the notice to all persons whose pecuniary interests  
53 are to be directly and immediately affected by ~~such~~ the  
54 hearing.

55 ~~(b)~~ (2) If ~~any such~~ a hearing is to be held for  
56 consideration ~~of rules and regulations of the commissioner or~~



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57 ~~for the consideration~~ of ~~other~~ matters which under this  
58 subsection ~~(a) of this section~~ would otherwise require  
59 separate notices to more than 50 persons, in lieu of the  
60 notice required under ~~such~~ this subsection, the commissioner  
61 may ~~give~~ post a notice of the hearing ~~by publication thereof~~  
62 ~~in two or more newspapers of general circulation in this state~~  
63 ~~at least once each week during the four weeks immediately~~  
64 ~~preceding the week in which the hearing is to be held. The~~  
65 ~~published notice shall state the time and place of the hearing~~  
66 ~~and shall specify the matters to be considered thereat~~ for at  
67 least 30 days prior to the date of the hearing on a website  
68 maintained by the department.

69 (b) If a hearing is to be held for consideration of  
70 rules of the commissioner, notice shall be posted for at least  
71 35 days prior to the date of the hearing on a website  
72 maintained by the department and by publication in the Alabama  
73 Administrative Monthly.

74 (c) (1) The notices provided for by this section shall  
75 state the time and place of the hearing and shall specify the  
76 matters to be considered at the hearing.

77 (2) All ~~such~~ of the notices, other than published  
78 notices, shall be given as provided in Section 27-2-18.

79 (d) This section does not apply as to hearings provided  
80 for in Chapter 13 of this title."

81 Section 2. This act shall become effective immediately  
82 following its passage and approval by the Governor, or its  
83 otherwise becoming law.