

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

400V0245

HOUSE JUDICIARY ENGROSSED NO. **HB 1052** 01/21/2014

Introduced by: The Committee on Judiciary at the request of the Department of Labor and Regulation

1 FOR AN ACT ENTITLED, An Act to authorize additional disclosure regarding certain
2 insurance investigations and examinations.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 58-4-49 be amended to read as follows:

5 58-4-49. The status, existence, or outcome of any ongoing or completed investigation or
6 examination performed pursuant to this title may be disclosed by the director to any person who
7 has filed a complaint or report to the director pertaining to the specific investigation or
8 examination. The director may disclose the following information to any person identified by
9 this section:

- 10 (1) Any remedial actions agreed to by a licensee being investigated or examined;
11 (2) Any remedial actions ordered by the director as a result of an examination or
12 investigation; or
13 (3) Any other such information as the parties to the remedial action may agree to release
14 in writing.



1 The director may also disclose the above information to any policyholder who contacts the
2 director and who is directly affected by any action listed above. Confidential information shared
3 with the director may not be disclosed. However, nothing in this section prevents the director
4 from providing a copy of licensee responses or other materials submitted by a licensee to
5 complaints or inquiries if the response or materials are not specifically marked confidential.
6 Sections 58-4-49 to 58-4-54, inclusive, do not apply to investigations conducted pursuant to
7 chapter 58-4A.