

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

400V0245

HOUSE BILL NO. 1052

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~~ a 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 may agree to release in writing.

14 The director may also disclose the above information to any policyholder who contacts the
15 director and who is directly affected by any action listed above. Confidential information shared



1 with the director may not be disclosed. However, nothing in this section prevents the director
2 from providing a copy of licensee responses or other materials submitted by a licensee to
3 complaints or inquiries if the response or materials are not specifically marked confidential.
4 Sections 58-4-49 to 58-4-54, inclusive, do not apply to investigations conducted pursuant to
5 chapter 58-4A.