NOTICE OF RULE ADOPTION—TEMPORARY RULE

STATE OF MISSISSIPPI
DEPARTMENT OF INSURANCE

Mississippi Department of Insurance
George Dale , Commissioner
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Specific Legal Authority authorizing the promulgation of Rule:
Governor's State of Emergency Proclamation of August 26, 2005; Governor's State of Emergency Proclamation of September 2, 2005; State of Mississippi Emergency Operations and Executive Order No. 653; Miss. Code Ann. §§ 33-15-11; 33-15-11(b)(9); 33-15-11(c)(4); 83-1-47; 83-5-1; 83-5-29 through 83-5-51; Mississippi Department of Insurance Regulation No. 88-101.

Date Rule Proposed: March 30, 2007

Reference to Rules repealed, amended or suspended by the Temporary Rule:
N/A

Explanation of the Purpose of the Temporary Rule and the reason(s) for the rule:
This Emergency Regulation establishes a special non-binding arbitration program for personal lines residential insurance claims resulting from Hurricane Katrina to allow for the timely handling and resolution of claims. It creates procedures for notice of the right to arbitration, request for arbitration, assignment of arbitrators, payment for arbitration, and the conduct of arbitration proceedings.

The Agency finds that an imminent peril to the public health, safety or welfare requires the adoption of a rule upon fewer than twenty-five (25) days notice. The Agency Rule Making Record for this temporary rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

☐ An oral proceeding was held on this rule:

X An oral proceeding was not held on this rule.

The Agency has considered any written comments received and the presentations made in any oral proceeding, and

☐ This rule as adopted is without variance from the proposed temporary rule.

☐ This rule as adopted differs from the proposed temporary rule as there are minor editorial changes which affect the form rather than the substance of the rule.

☐ The rule as adopted differs from the proposed temporary rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

X N/A

The entire text of the Temporary Rule including the text of any rule being amended or changed is attached.
N/A

Effective Date of Rule: March 30, 2007

George Dale
Commissioner of Insurance