

1-1 By: Murr, Buckley, Guillen (Senate Sponsor - Miles) H.B. No. 317  
 1-2 (In the Senate - Received from the House April 12, 2021;  
 1-3 April 13, 2021, read first time and referred to Committee on  
 1-4 Business & Commerce; May 5, 2021, reported favorably by the  
 1-5 following vote: Yeas 7, Nays 0; May 5, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hancock	X			
1-8 Nichols	X			
1-9 Campbell	X			
1-10 Creighton			X	
1-11 Johnson	X			
1-12 Menéndez			X	
1-13 Paxton	X			
1-14 Schwertner	X			
1-15 Whitmire	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to prohibiting discrimination against living organ donors  
 1-20 by certain insurers.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. This Act may be cited as the Texas Living Organ  
 1-23 Donor Act.

1-24 SECTION 2. Chapter 544, Insurance Code, is amended by  
 1-25 adding Subchapter M to read as follows:

1-26 SUBCHAPTER M. LIVING ORGAN DONORS

1-27 Sec. 544.601. DEFINITION. In this subchapter, "living  
 1-28 organ donor" means a living individual who donates an organ to  
 1-29 another individual.

1-30 Sec. 544.602. APPLICABILITY OF SUBCHAPTER. This subchapter  
 1-31 applies only to a life insurance policy or contract, disability  
 1-32 insurance policy, or long-term care insurance policy.

1-33 Sec. 544.603. PROHIBITIONS. (a) An insurer may not, based  
 1-34 solely on the status of an individual as a living organ donor:

- 1-35 (1) deny coverage to the individual;
- 1-36 (2) refuse to renew the individual's coverage;
- 1-37 (3) cancel the individual's coverage;
- 1-38 (4) limit the amount, extent, or kind of coverage  
 1-39 available to the individual; or

1-40 (5) charge the individual or a group to which the  
 1-41 individual belongs a rate that is different than the rate charged to  
 1-42 other individuals or groups, as applicable, for the same coverage  
 1-43 unless the rate differential is based on sound actuarial principles  
 1-44 or sound underwriting related to actual or anticipated loss  
 1-45 experience for a particular risk.

1-46 (b) An insurer may not prevent an insured from donating all  
 1-47 or part of an organ as a condition of continuing coverage.

1-48 SECTION 3. Section 544.603, Insurance Code, as added by  
 1-49 this Act, applies only to an insurance policy or contract that is  
 1-50 delivered, issued for delivery, or renewed on or after January 1,  
 1-51 2022.

1-52 SECTION 4. This Act takes effect September 1, 2021.

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