

1-1 By: Blanco S.B. No. 2124
 1-2 (In the Senate - Filed March 12, 2021; April 1, 2021, read
 1-3 first time and referred to Committee on Business & Commerce;
 1-4 April 23, 2021, reported favorably by the following vote: Yeas 8,
 1-5 Nays 0; April 23, 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 the authority of a health benefit plan sponsor to
 1-20 consent to electronic delivery of certain communications on behalf
 1-21 of a party enrolled in the plan.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 35.001, Insurance Code, is amended by
 1-24 adding Subdivision (4-a) to read as follows:

1-25 (4-a) "Plan sponsor" means a person, other than a
 1-26 regulated entity, who establishes, adopts, or maintains a health
 1-27 benefit plan, including a vision or dental benefit plan, that
 1-28 covers residents of this state, including a plan established,
 1-29 adopted, or maintained by an employer or jointly by an employer and
 1-30 one or more employee organizations, an association, a committee, a
 1-31 joint board of trustees, or any similar group of representatives
 1-32 who establish, adopt, or maintain a plan.

1-33 SECTION 2. Chapter 35, Insurance Code, is amended by adding
 1-34 Section 35.0041 to read as follows:

1-35 Sec. 35.0041. CONSENT TO ELECTRONIC DELIVERY BY PLAN
 1-36 SPONSOR. (a) The plan sponsor of a health benefit plan, including
 1-37 a vision or dental benefit plan, may, on behalf of a party enrolled
 1-38 in the plan, give the consent required by Section 35.004(c)(1).

1-39 (b) Before consenting on behalf of a party, a plan sponsor
 1-40 must:

1-41 (1) provide the party with the statements required by
 1-42 Sections 35.004(c)(2) and (c)(3)(A);

1-43 (2) confirm that the party routinely uses electronic
 1-44 communications during the normal course of employment; and

1-45 (3) provide the party an opportunity to opt out of
 1-46 delivery by electronic means.

1-47 SECTION 3. The change in law made by this Act applies only
 1-48 to a health benefit plan delivered, issued for delivery, or renewed
 1-49 on or after January 1, 2022.

1-50 SECTION 4. This Act takes effect September 1, 2021.

1-51 * * * * *