

1-1 By: Hull (Senate Sponsor - Zaffirini) H.B. No. 1074
 1-2 (In the Senate - Received from the House April 17, 2023;
 1-3 April 18, 2023, read first time and referred to Committee on
 1-4 Business & Commerce; May 5, 2023, reported favorably by the
 1-5 following vote: Yeas 10, Nays 0; May 5, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to construction of certain laws prohibiting
 1-22 discrimination, distinctions, inducements, rebates, and certain
 1-23 other conduct related to property and casualty insurance.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter A, Chapter 1806, Insurance Code, is
 1-26 amended by adding Section 1806.002 to read as follows:

1-27 Sec. 1806.002. CONSTRUCTION OF CERTAIN PROVISIONS;
 1-28 SERVICES RELATED TO LOSS CONTROL. (a) Nothing in Section 1806.053,
 1-29 1806.054, 1806.059, 1806.104, 1806.1041, 1806.153, 1806.1541, or
 1-30 1806.156 may be construed as:

1-31 (1) permitting an unfair method of competition or a
 1-32 false, misleading, or deceptive act or practice under Section
 1-33 17.46, Business & Commerce Code; or

1-34 (2) prohibiting an insurer or an insurer's agent from
 1-35 offering or giving to an insured or applicant, for free or at a
 1-36 discounted price in a manner that is not unfairly discriminatory to
 1-37 insureds or applicants of the same class and of essentially the same
 1-38 hazard, services or other offerings not specified in the insurance
 1-39 policy that relate to loss control of the risks covered under the
 1-40 policy, subject to Subsection (b).

1-41 (b) The cost to the insurer or the insurer's agent offering
 1-42 the product or service to any given customer must be reasonable in
 1-43 comparison to that customer's premiums or insurance coverage for
 1-44 the policy class.

1-45 (c) Other than for purposes related to loss control of risks
 1-46 covered under the policy, the insurer or insurer's agent offering
 1-47 the product or service may not provide to another person any data or
 1-48 other information obtained about the customer from or in connection
 1-49 with the product or service.

1-50 (d) The commissioner may adopt rules as necessary to
 1-51 implement this section.

1-52 SECTION 2. This Act takes effect September 1, 2023.

1-53 * * * * *