

By: Oliverson

H.B. No. 1587

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the use by insurance companies of separate accounts in  
3 connection with life insurance and annuities and certain other  
4 benefits.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. The legislature declares that the intent of this  
7 Act is to be consistent with:

8 (1) uniform laws of the various states in which the  
9 approval of a separate account and of the investments and reserves  
10 in a separate account is performed by the domiciliary state; and

11 (2) recent legislative enactments designed to  
12 modernize insurance regulation by exempting certain large  
13 commercial-type policy forms from regulatory filing and approval.

14 SECTION 2. Section [1152.055](#), Insurance Code, is amended to  
15 read as follows:

16 Sec. 1152.055. GUARANTEED BENEFITS AND MONEY RESTRICTION  
17 FOR SEPARATE ACCOUNTS. A domestic [~~An~~] insurance company may not  
18 maintain a reserve for a benefit guaranteed as to dollar amount and  
19 duration or funds guaranteed as to principal amount or stated rate  
20 of interest in a separate account except with the commissioner's  
21 approval and under conditions for investments, and other matters,  
22 that recognize the guaranteed nature of the benefits provided and  
23 that are prescribed by the department.

24 SECTION 3. Subchapter [A](#), Chapter [1701](#), Insurance Code, is

1 amended by adding Section 1701.006 to read as follows:

2 Sec. 1701.006. EXEMPTION FOR CERTAIN GROUP ANNUITY  
3 TRANSACTIONS. (a) The filing and approval requirements in this  
4 chapter do not apply to any group annuity policy, certificate, or  
5 contract written or issued by an insurer authorized to engage in the  
6 business of insurance in this state that involves use of a separate  
7 account if benefits would also have guarantees from an insurer's  
8 general account.

9 (b) For purposes of this section, a group annuity policy,  
10 certificate, or contract includes a single premium group annuity  
11 policy, certificate, or contract that is negotiated between an  
12 insurer and an applicable group or plan sponsor.

13 SECTION 4. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2023.