

1-1 By: Thompson of Brazoria H.B. No. 2366  
 1-2 (Senate Sponsor - LaMantia)  
 1-3 (In the Senate - Received from the House May 3, 2023;  
 1-4 May 5, 2023, read first time and referred to Committee on Business  
 1-5 & Commerce; May 17, 2023, reported favorably by the following vote:  
 1-6 Yeas 9, Nays 0; May 17, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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	X			

1-20 A BILL TO BE ENTITLED  
 1-21 AN ACT

1-22 relating to the applicability of premium and maintenance taxes to  
 1-23 the Texas Windstorm Insurance Association.

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

1-25 SECTION 1. Section 221.001(b), Insurance Code, is amended  
 1-26 to read as follows:

1-27 (b) This chapter does not apply to:

1-28 (1) a fraternal benefit society, including a fraternal  
 1-29 benefit society operating under Chapter 885;

1-30 (2) a group hospital service corporation operating  
 1-31 under Chapter 842;

1-32 (3) a stipulated premium company operating under  
 1-33 Chapter 884;

1-34 (4) a mutual assessment association, company, or  
 1-35 corporation regulated under Chapter 887;

1-36 (5) a purely cooperative or mutual fire insurance  
 1-37 company carried on by its members solely for the protection of their  
 1-38 own property and not for profit, except as provided by Section  
 1-39 221.002(b)(13); ~~or~~

1-40 (6) a farm mutual insurance company operating under  
 1-41 Chapter 911, unless the company is acting as a fronting insurer; or

1-42 (7) the Texas Windstorm Insurance Association.

1-43 SECTION 2. Section 252.005, Insurance Code, is amended to  
 1-44 read as follows:

1-45 Sec. 252.005. EXCEPTION. This chapter does not apply to:

1-46 (1) a farm mutual insurance company operating under  
 1-47 Chapter 911, unless the company is acting as a fronting insurer as  
 1-48 defined by Section 221.001(c); ~~or~~

1-49 (2) a mutual insurance company engaged in business  
 1-50 under Chapter 12, Title 78, Revised Statutes, before that chapter's  
 1-51 repeal by Section 18, Chapter 40, Acts of the 41st Legislature, 1st  
 1-52 Called Session, 1929, as amended by Section 1, Chapter 60, General  
 1-53 Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, that  
 1-54 retains the rights and privileges under the repealed law to the  
 1-55 extent provided by those sections; or

1-56 (3) the Texas Windstorm Insurance Association.

1-57 SECTION 3. The changes in law made by this Act do not affect  
 1-58 tax liability accruing before the 2023 calendar year. That  
 1-59 liability continues in effect as if this Act had not been enacted,  
 1-60 and the former law is continued in effect for the collection of  
 1-61 taxes due and for enforcement of the liability for those taxes.

2-1 SECTION 4. This Act takes effect September 1, 2023.

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