

Amend CSSB 127 (House Committee Printing) as follows:

(1) In SECTION 1.01 of the bill, in the heading to added Article 5.35-4, Insurance Code (page 1, line 9), strike "PERMISSIBLE SURCHARGES".

(2) In SECTION 1.01 of the bill, following added Section 3(b), Article 5.35-4, Insurance Code (page 2, between lines 23 and 24), add the following new subsections:

(c) An insurer may not use a prior water damage claim filed by a person as a basis for determining the rate to be paid by the person for insurance coverage or for determining whether to issue, renew, or cancel an insurance policy to or for the person if the person:

(1) properly remediated the prior water damage; and

(2) had the remediation inspected and certified by a person or entity knowledgeable and experienced in the remediation of water damage.

(d) An insurer may not use a prior water damage claim filed regarding specific property as a basis for determining the rate to be paid by a person for insurance coverage for that property or for determining whether to issue, renew, or cancel an insurance policy to or for a person seeking insurance coverage for that property if the prior water damage was properly remediated and was inspected and certified by a person knowledgeable and experienced in remediation of water damage.

(e) An insurer may require the inspection and certification of a remediation described by Subsection (c) or (d) of this section to be conducted by a person or entity approved by the insurer to inspect and certify the remediation of water damage. An insurer requiring the inspection and certification of a remediation described by Subsection (c) or (d) of this section to be conducted by a person or entity approved by the insurer must ensure that sufficient approved persons or entities are available to conduct necessary inspections and certifications in this state. A person or entity approved by an insurer may charge the applicant for coverage or policyholder a fee, not to exceed \$75, for the required inspection and certification of the remediation. The insurer shall pay any additional amount charged by the approved person or entity

in connection with the inspection and certification.

(3) In SECTION 1.01 of the bill, strike added Section 4, Article 5.35-4, Insurance Code (page 2, line 24, through page 4, line 3).

(4) In SECTION 1.01 of the bill, in added Section 5, Article 5.35-4, Insurance Code (page 4, line 4), strike "Sec. 5" and substitute "Sec. 4".