

Amend **CSHB 4** (House Committee Printing) as follows:

(1) On page 3, line 9, strike the underlined period and insert "and publish, electronically or otherwise, the updated information. The department may charge a person a reasonable fee for access to the publication."

(2) On page 3, between lines 14 and 15, insert the following new appropriately numbered SECTION of the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) Subchapter A, Chapter 5, Insurance Code, is amended by adding Article 5.07-2 to read as follows:

Art. 5.07-2. VALUATION OF TOTALED MOTOR VEHICLE. (a) For purposes of this article, "standard presumptive value" has the meaning assigned by Section 152.0412(a), Tax Code.

(b) If an insurer determines that a motor vehicle covered under an automobile insurance policy issued by the insurer is an active or constructive total loss, the insurer shall assign the motor vehicle a value that is equal to or greater than the standard presumptive value of that vehicle.

(c) In settling a liability claim by a third party against an insured for property damage claimed by the third party, if the insurer determines that the third party's motor vehicle is an active or constructive total loss, the insurer shall assign the third party's motor vehicle a value that is equal to or greater than the standard presumptive value of that vehicle.

(d) This article expires April 1, 2007.

(b) Chapter 1952, Insurance Code, as effective April 1, 2007, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. VALUATION OF TOTALED MOTOR VEHICLE

Sec. 1952.351. DEFINITION. In this subchapter, "standard presumptive value" has the meaning assigned by Section 152.0412(a), Tax Code.

Sec. 1952.352. VALUATION OF TOTALED MOTOR VEHICLE. (a) If an insurer determines that a motor vehicle covered under an automobile insurance policy issued by the insurer is an active or constructive total loss, the insurer shall assign the motor vehicle a value that is equal to or greater than the standard presumptive value of that vehicle.

(b) In settling a liability claim by a third party against an insured for property damage claimed by the third party, if the insurer determines that the third party's motor vehicle is an active or constructive total loss, the insurer shall assign the third party's motor vehicle a value that is equal to or greater than the standard presumptive value of that vehicle.

(3) On page 3, line 22, strike "and".

(4) On page 3, line 24, strike the period and substitute "; and".

(5) On page 3, between lines 24 and 25, insert the following:

(4) publish that information and make the published information available to an insurer or other requesting person.

(6) On page 4, line 12, between "Code," and "as added", insert "Article 5.07-2, Insurance Code, and Subchapter H, Chapter 1952, Insurance Code,".

(7) On page 4, line 12, strike "takes" and substitute "take".