

By: Carona

S.B. No. 1244

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the venue for a suit filed by an insurance company under  
3 the insurer's right of subrogation or a similar right.

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

5 SECTION 1. Subchapter B, Chapter 541, Insurance Code, as  
6 effective April 1, 2005, is amended by adding Section 541.062 to  
7 read as follows:

8 Sec. 541.062. FILING OF SUIT IN CERTAIN VENUE. It is an  
9 unfair method of competition or an unfair or deceptive act or  
10 practice in the business of insurance to file in a venue other than  
11 proper venue, as defined by Section 15.001, Civil Practice and  
12 Remedies Code, a suit against a natural person to recover under a  
13 right of subrogation or a similar right to reimbursement from a  
14 third party money paid by the insurer to a claimant under an  
15 insurance policy.

16 SECTION 2. The change in law made by this Act applies only  
17 to a suit filed on or after the effective date of this Act. A suit  
18 filed before that date is governed by the law in effect immediately  
19 before that date, and that law is continued in effect for that  
20 purpose.

21 SECTION 3. This Act takes effect September 1, 2005.