

1-1 By: Lucio S.B. No. 1558
1-2 (In the Senate - Filed March 11, 2005; March 22, 2005, read
1-3 first time and referred to Committee on Business and Commerce;
1-4 April 11, 2005, reported favorably by the following vote: Yeas 9,
1-5 Nays 0; April 11, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the applicability of certain insurance laws to Lloyd's
1-9 plans and reciprocal and interinsurance exchanges.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (b), Section 38.001, Insurance Code,
1-12 is amended to read as follows:

1-13 (b) The department may address a reasonable inquiry to any
1-14 ~~[an]~~ insurance company, including a Lloyd's plan or reciprocal or
1-15 interinsurance exchange, or an agent~~[7]~~ or other holder of an
1-16 authorization relating to:

1-17 (1) the person's business condition; or

1-18 (2) any matter connected with the person's
1-19 transactions that the department considers necessary for the public
1-20 good or for the proper discharge of the department's duties.

1-21 SECTION 2. Subsection (b), Section 941.003, Insurance Code,
1-22 is amended to read as follows:

1-23 (b) A Lloyd's plan is subject to:

1-24 (1) Section 5, Article 1.10;

1-25 (2) Article 1.15A;

1-26 (3) Subchapters A, Q, T, and U, Chapter 5;

1-27 (4) Articles 5.35, 5.38, 5.39, and 5.40~~[, and 5.49]~~;

1-28 (5) Article [Articles 21.21 and] 21.49-8;

1-29 (6) Sections 822.203, 822.205, 822.210, and 822.212;

1-30 ~~[and]~~

1-31 (7) Article 5.13-2, as provided by that article;

1-32 (8) Chapters 251, 252, and 541; and

1-33 (9) Section 38.001.

1-34 SECTION 3. Subsection (b), Section 942.003, Insurance Code,
1-35 is amended to read as follows:

1-36 (b) An exchange is subject to:

1-37 (1) Section 5, Article 1.10;

1-38 (2) Articles 1.15, 1.15A, and 1.16;

1-39 (3) Subchapters A, Q, T, and U, Chapter 5;

1-40 (4) Articles 5.35, 5.37, 5.38, 5.39, and 5.40;

1-41 (5) Article [Articles 21.21 and] 21.49-8;

1-42 (6) Sections 822.203, 822.205, 822.210, 822.212,
1-43 861.254(a)-(f), 861.255, 862.001(b), and 862.003; ~~[and]~~

1-44 (7) Article 5.13-2, as provided by that article;

1-45 (8) Chapter 541; and

1-46 (9) Section 38.001.

1-47 SECTION 4. The change in law made by Section 38.001,
1-48 Insurance Code, as amended by this Act, applies only to an inquiry
1-49 made by the Texas Department of Insurance on or after the effective
1-50 date of this Act. An inquiry made by the Texas Department of
1-51 Insurance before the effective date of this Act is covered by the
1-52 law in effect at the time the inquiry is made, and that law is
1-53 continued in effect for that purpose.

1-54 SECTION 5. This Act takes effect September 1, 2005.

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