

Amend HB 3358 as follows:

(1) On page 1, strike line 6 and substitute "adding Subsections (a-1) and (a-2) and amending Subsection (c) to read as follows:

(2) On page 1, between lines 16 and 17, insert the following:

(a-2) The commissioner by order shall require an insurer to file with the department for the commissioner's approval all rates, supplementary rating information, and any supporting information in accordance with this subchapter if the commissioner determines that the insurer is not in compliance with Section 525.002.

(c) The commissioner may require an insurer to file the insurer's rates under this section until the commissioner determines that the conditions described by Subsection (a) or (a-2), as applicable, no longer exist.

(3) Insert the following appropriately numbered SECTION and renumber SECTIONS of the bill accordingly:

SECTION _____. Subtitle B, Title 5, Insurance Code, is amended by adding Chapter 525 to read as follows:

CHAPTER 525. NOTICE CONCERNING ENTITLEMENT TO CERTAIN REPORTS

Sec. 525.001. APPLICABILITY. This chapter applies to an insurer that is subject to Subchapter A, B, C, D, or E, Chapter 2251, including a Lloyd's plan, reciprocal or interinsurance exchange, or county mutual insurance company.

Sec. 525.002. CLAIMS HISTORY REPORTS. At least twice annually, an insurer that writes residential property insurance or personal automobile insurance in this state shall notify in writing each holder of a residential property insurance policy or personal automobile insurance policy issued by the insurer in this state of:

(1) the policyholder's right under the Fair Credit Reporting Act (15 U.S.C. Section 1681, et seq.) to request and receive free consumer reports concerning the policyholder, including insurance claims history reports compiled by a national or regional clearinghouse or other organization; and

(2) the manner in which the policyholder may request those reports.