

By: Brimer

S.B. No. 192

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the Texas Mutual Insurance Company and the application
3 of certain statutes to the Texas Mutual Insurance Company.

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

5 SECTION 1. Subsection (c), Section 2054.003, Insurance
6 Code, as effective April 1, 2007, is amended to read as follows:

7 (c) The company is not a state agency or executive agency or
8 a governmental entity for any purpose.

9 SECTION 2. Section 2054.007, Insurance Code, as effective
10 April 1, 2007, is amended to read as follows:

11 Sec. 2054.007. [~~APPLICABILITY OF~~] OPEN MEETINGS LAW AND
12 OPEN RECORDS LAW NOT APPLICABLE. Notwithstanding any other state
13 law, Chapters [~~(a) Except as otherwise provided by Subsection (b),~~
14 ~~Chapter~~] 551 and 552, Government Code, do not apply [~~applies~~] to the
15 company.

16 [~~(b) The board may hold closed meetings to consider:~~

17 [~~(1) information relating to claims, rates, or the~~
18 ~~company's underwriting guidelines, or~~

19 [~~(2) other information that would give advantage to a~~
20 ~~competitor or bidder.]~~

21 SECTION 3. The heading to Section 2054.008, Insurance Code,
22 as effective April 1, 2007, is amended to read as follows:

23 Sec. 2054.008. INVESTIGATION FILES [~~APPLICABILITY OF~~
24 ~~PUBLIC INFORMATION LAW~~].

1 SECTION 4. Subsection (d), Section 2054.008, Insurance
2 Code, as effective April 1, 2007, is amended to read as follows:

3 (d) Except as provided by Subsection (e), a company
4 investigation file:

5 (1) is confidential [~~and not subject to required~~
6 ~~disclosure under Chapter 552, Government Code~~]; and

7 (2) may be disclosed only:

8 (A) in a criminal proceeding;

9 (B) in a hearing conducted by the commission;

10 (C) on a judicial determination of good cause; or

11 (D) to a governmental agency, political
12 subdivision, or regulatory body if the disclosure is necessary or
13 proper for the enforcement of a law of this state, another state, or
14 the United States.

15 SECTION 5. Subsection (b), Section 2054.256, Insurance
16 Code, as effective April 1, 2007, is amended to read as follows:

17 (b) The [~~Except as otherwise required or permitted by~~
18 ~~Chapter 552, Government Code, the~~] company may not provide to an
19 insurance agent information obtained from another insurance agent.

20 SECTION 6. Subsections (b) and (c), Section 2054.008,
21 Insurance Code, as effective April 1, 2007, are repealed.

22 SECTION 7. The change in law made by the amendment of
23 Section 2054.008, Insurance Code, by this Act applies to
24 information maintained in investigation files of the Texas Mutual
25 Insurance Company without regard to the date the information is
26 collected, compiled, or developed or otherwise becomes part of the
27 investigation file.

1 SECTION 8. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2007.