

By: Van de Putte

S.B. No. 1272

A BILL TO BE ENTITLED

AN ACT

relating to insurers as proper parties to suit for damages.

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

SECTION 1. Subtitle A, Title 10, Insurance Code, is amended by adding Chapter 1810 to read as follows:

CHAPTER 1810. INSURER AS PROPER PARTY TO SUIT

Sec. 1810.001. DEFINITION. In this chapter, "insurer" includes any insurer authorized to issue a liability insurance policy in this state, including a county mutual insurance company, a Lloyd's plan, an eligible surplus lines insurer, or a reciprocal or interinsurance exchange.

Sec. 1810.002. INSURER IS PROPER PARTY. In a suit for recovery of damages in which a defendant in the suit is an insured under a liability insurance policy that may provide coverage for the damages, the insurer that issued the policy is a proper party to the suit.

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

SECTION 3. This Act takes effect September 1, 2007.