

Amend Amendment No. 1 to **SB 1001** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 501.153, Insurance Code, is amended to read as follows:

Sec. 501.153. AUTHORITY TO APPEAR, INTERVENE, OR INITIATE. The public counsel:

(1) may ~~[appear or intervene]~~, as a party or otherwise and ~~[7]~~ as a matter of right before the commissioner or department on behalf of insurance consumers~~[7]~~ as a class, initiate proceedings concerning or appear or intervene in matters involving:

(A) rates, rules, and forms affecting:

(i) property and casualty insurance;

(ii) title insurance;

(iii) credit life insurance;

(iv) credit accident and health insurance;

or

(v) any other line of insurance for which the commissioner or department promulgates, sets, adopts, or approves rates, rules, or forms;

(B) rules affecting life, health, or accident insurance; or

(C) withdrawal of approval of policy forms:

(i) in proceedings initiated by the department under Sections 1701.055 and 1701.057; or

(ii) if the public counsel presents persuasive evidence to the department that the forms do not comply with this code, a rule adopted under this code, or any other law;

(2) may initiate or intervene as a matter of right or otherwise appear in a judicial proceeding involving or arising from an action taken by an administrative agency in a proceeding in which the public counsel previously appeared under the authority granted by this chapter;

(3) may appear or intervene, as a party or otherwise, as a matter of right on behalf of insurance consumers as a class in any proceeding in which the public counsel determines that insurance consumers are in need of representation, except that the

public counsel may not intervene in an enforcement or parens patriae proceeding brought by the attorney general; and

(4) may appear or intervene before the commissioner or department as a party or otherwise on behalf of small commercial insurance consumers, as a class, in a matter involving rates, rules, or forms affecting commercial insurance consumers, as a class, in any proceeding in which the public counsel determines that small commercial consumers are in need of representation.

SECTION \_\_\_\_\_. Section 2251.106, Insurance Code, is amended by amending Subsections (a), (b), and (c) to read as follows:

(a) [~~On request to the commissioner, the~~] The public insurance counsel shall [~~may~~] review all rate filings and additional information provided by an insurer under this chapter. Confidential information reviewed under this subsection remains confidential.

(b) The public insurance counsel, not later than the 30th day after the date of a rate filing under this chapter, shall, if the office determines that the filing does not comply with the requirements of this chapter:

(1) [~~may~~] file with the commissioner a written objection to:

(A) [~~(1)~~] an insurer's rate filing; or

(B) [~~(2)~~] the criteria on which the insurer relied to determine the rate; or

(2) request a rate hearing with the commissioner.

(c) A written objection filed under Subsection (b)(1) [~~(b)~~] must contain the reasons for the objection.