

## **BILL ANALYSIS**

H.B. 2353  
By: Hughes  
Insurance  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law sets the statute of limitations for enforcement actions for lines of insurance at five years from the date the conduct occurred or two years of the date the conduct was discovered by or became known to the Texas Department of Insurance. The law does not apply to title insurance carriers, so an enforcement action can be brought against a title insurance company at any time.

H.B. 2353 applies the same statute of limitations in effect for other insurance carriers to title insurance carriers.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2353 amends the Insurance Code to apply to a title insurance company, to the extent applicable, provisions relating to the limitations period for the Texas Department of Insurance or the commissioner of insurance to impose a sanction, penalty, or fine, including an administrative penalty, against an insurer, agent, or other license holder who is subject to the jurisdiction of the department for conduct that is a violation of state insurance laws.

### **EFFECTIVE DATE**

September 1, 2009.