

By: McClendon

H.B. No. 2136

A BILL TO BE ENTITLED

AN ACT

relating to mandatory personal injury protection.

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

SECTION 1. Section 1952.152, Insurance Code, is amended to read as follows:

Sec. 1952.152. PERSONAL INJURY PROTECTION COVERAGE REQUIRED. ~~[(a)]~~ An insurer may not deliver or issue for delivery in this state an automobile liability insurance policy, including a policy provided through the Texas Automobile Insurance Plan Association under Chapter 2151, that covers liability arising out of the ownership, maintenance, or use of any motor vehicle unless the insurer provides personal injury protection coverage in the policy or supplemental to the policy.

~~[(b) The coverage required by this subchapter does not apply if any insured named in the insurance policy rejects the coverage in writing. Unless the named insured requests in writing the coverage required by this subchapter, the insurer is not required to provide that coverage in or supplemental to a reinstated insurance policy or renewal insurance policy if the named insured rejected the coverage in connection with that insurance policy or an insurance policy previously issued to the insured by the same insurer or by an affiliated insurer.]~~

SECTION 2. Section 1952.153, Insurance Code, is amended to read as follows:

1           Sec. 1952.153. MAXIMUM REQUIRED AMOUNT OF PERSONAL INJURY  
2 PROTECTION. This subchapter does not require an insurer to provide  
3 personal injury protection coverage in an amount that exceeds  
4 \$10,000 [~~\$2,500~~] for all benefits, in the aggregate, for each  
5 person.

6           SECTION 3. This Act applies only to an insurance policy or  
7 contract or evidence of coverage that is delivered, issued for  
8 delivery, or renewed on or after January 1, 2010. An insurance  
9 policy or contract or evidence of coverage delivered, issued for  
10 delivery, or renewed before January 1, 2010, is governed by the law  
11 as it existed immediately before the effective date of this Act, and  
12 that law is continued in effect for that purpose.

13           SECTION 4. This Act takes effect September 1, 2009.