

By: Kent

H.B. No. 2641

A BILL TO BE ENTITLED

AN ACT

relating to credit toward the deductible of certain automobile and
homeowners insurance policies.

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

SECTION 1. Subchapter B, Chapter 1952, Insurance Code, is
amended by adding Section 1952.060 to read as follows:

Sec. 1952.060. REQUIRED PROVISION: ANNUAL DEDUCTIBLE
CREDIT. A personal automobile insurance policy that contains a
deductible of \$1,000 or more must contain a provision to reduce the
amount of the deductible that the policyholder must pay in the event
of a claim by an amount equal to 10 percent of the deductible amount
for each policy year immediately preceding the claim in which the
policyholder does not submit a claim under the policy.

SECTION 2. Subchapter A, Chapter 2002, Insurance Code, is
amended by adding Section 2002.008 to read as follows:

Sec. 2002.008. REQUIRED PROVISION: ANNUAL DEDUCTIBLE
CREDIT. A homeowners insurance policy that contains a deductible
of \$2,500 or more must contain a provision to reduce the amount of
the deductible that the policyholder must pay in the event of a
claim by an amount equal to 10 percent of the deductible amount for
each policy year immediately preceding the claim in which the
policyholder does not submit a claim under the policy.

SECTION 3. The change in law made by this Act applies only
to an insurance policy delivered, issued for delivery, or renewed

1 on or after January 1, 2010. A policy delivered, issued for
2 delivery, or renewed before January 1, 2010, is governed by the law
3 in effect immediately before the effective date of this Act, and
4 that law is continued in effect for that purpose.

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