

By: Sheffield

H.B. No. 2877

A BILL TO BE ENTITLED

AN ACT

relating to liability insurance closed claim reports.

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

SECTION 1. Section 38.153(a), Insurance Code, is amended to read as follows:

(a) Not later than the 10th day after the last day of the calendar quarter in which a claim for recovery under a liability insurance policy is closed, the insurer shall file with the department a closed claim report if the indemnity payment for bodily injury under the coverage is \$75,000 [~~\$25,000~~] or more.

SECTION 2. Section 38.155(a), Insurance Code, is amended to read as follows:

(a) An insurer shall file with the department a summary closed claim report for a claim for recovery under a liability insurance policy if the indemnity payment for bodily injury under the coverage is less than \$75,000 [~~\$25,000~~] but more than \$25,000 [~~\$10,000~~].

SECTION 3. Section 38.157(a), Insurance Code, is amended to read as follows:

(a) An insurer shall file with the department one report containing the information required under this section for all claims closed within the calendar year for which the indemnity payments for bodily injury under the coverage are \$25,000 [~~\$10,000~~] or less, including claims for which an indemnity payment is not made

1 on closing.

2 SECTION 4. Section 38.158, Insurance Code, is amended to
3 read as follows:

4 Sec. 38.158. ALTERNATIVE REPORTING. (a) After notice and
5 public hearing, the commissioner may provide for alternative
6 reporting in the form of sampling of the required closed claim data
7 instead of requiring insurers to file the closed claim data
8 required by this subchapter.

9 (b) The department may use a statistical reporting agency to
10 reconcile the data.

11 SECTION 5. This Act applies only to a closed claim report
12 that is filed with the Texas Department of Insurance on or after the
13 effective date of this Act. A closed claim report that is filed
14 with the department before the effective date of this Act is
15 governed by the law as it existed immediately before the effective
16 date of this Act, and that law is continued in effect for that
17 purpose.

18 SECTION 6. This Act takes effect September 1, 2009.