

1-1 By: Sheffield (Senate Sponsor - Fraser) H.B. No. 2877
1-2 (In the Senate - Received from the House April 23, 2009;
1-3 May 6, 2009, read first time and referred to Committee on Business
1-4 and Commerce; May 13, 2009, reported favorably by the following
1-5 vote: Yeas 7, Nays 1; May 13, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to liability insurance closed claim reports.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 38.153(a), Insurance Code, is amended to
1-11 read as follows:

1-12 (a) Not later than the 10th day after the last day of the
1-13 calendar quarter in which a claim for recovery under a liability
1-14 insurance policy is closed, the insurer shall file with the
1-15 department a closed claim report if the indemnity payment for
1-16 bodily injury under the coverage is \$75,000 [~~\$25,000~~] or more.

1-17 SECTION 2. Section 38.155(a), Insurance Code, is amended to
1-18 read as follows:

1-19 (a) An insurer shall file with the department a summary
1-20 closed claim report for a claim for recovery under a liability
1-21 insurance policy if the indemnity payment for bodily injury under
1-22 the coverage is less than \$75,000 [~~\$25,000~~] but more than \$25,000
1-23 [~~\$10,000~~].

1-24 SECTION 3. Section 38.157(a), Insurance Code, is amended to
1-25 read as follows:

1-26 (a) An insurer shall file with the department one report
1-27 containing the information required under this section for all
1-28 claims closed within the calendar year for which the indemnity
1-29 payments for bodily injury under the coverage are \$25,000 [~~\$10,000~~]
1-30 or less, including claims for which an indemnity payment is not made
1-31 on closing.

1-32 SECTION 4. Section 38.158, Insurance Code, is amended to
1-33 read as follows:

1-34 Sec. 38.158. ALTERNATIVE REPORTING. (a) After notice and
1-35 public hearing, the commissioner may provide for alternative
1-36 reporting in the form of sampling of the required closed claim data
1-37 instead of requiring insurers to file the closed claim data
1-38 required by this subchapter.

1-39 (b) The department may use a statistical reporting agency to
1-40 reconcile the data.

1-41 SECTION 5. This Act applies only to a closed claim report
1-42 that is filed with the Texas Department of Insurance on or after the
1-43 effective date of this Act. A closed claim report that is filed
1-44 with the department before the effective date of this Act is
1-45 governed by the law as it existed immediately before the effective
1-46 date of this Act, and that law is continued in effect for that
1-47 purpose.

1-48 SECTION 6. This Act takes effect September 1, 2009.

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