

By: Rose

H.B. No. 3368

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the availability of certain information concerning the
3 settlement of certain types of claims made under residential
4 property insurance policies.

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

6 SECTION 1. Section 32.102, Insurance Code, is amended by
7 adding Subsection (a-1) to read as follows:

8 (a-1) In addition to the information required by Subsection
9 (a), the Internet website required by this section must include,
10 with reference to residential property insurance, a side-by-side
11 comparison of the most likely settlement or other resolution of
12 categories of typical claims filed with the insurer by
13 policyholders. The side-by-side comparison must include a ratio of
14 the average dollar amount paid by an insurer as settlement for a
15 category of typical claims under a residential property insurance
16 policy to the premiums received by the insurer for that same policy.

17 SECTION 2. Subchapter D, Chapter 32, Insurance Code, is
18 amended by adding Sections 32.105 and 32.106 to read as follows:

19 Sec. 32.105. PURPOSE OF INFORMATION; ADMISSIBILITY. The
20 information provided through the department's Internet website
21 required by Section 32.102 is provided solely for the purpose of
22 assisting consumers in making educated decisions concerning the
23 purchase of insurance in this state and is not admissible in a civil
24 or criminal proceeding as prima facie evidence of the truth of any

1 matter asserted by the information.

2 Sec. 32.106. RULES. The commissioner by rule shall define
3 the categories of typical claims filed with an insurer by
4 policyholders about which an insurer must provide the department
5 with information for the purposes of Section 32.102(a-1).

6 SECTION 3. The commissioner of insurance shall adopt the
7 rules required by Section 32.106, Insurance Code, as added by this
8 Act, as soon as possible after the effective date of this Act and in
9 no event later than January 1, 2010.

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