

By: Miklos

H.B. No. 4260

A BILL TO BE ENTITLED

AN ACT

relating to coverage under an automobile insurance policy for certain family members.

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

SECTION 1. Section 1952.056, Insurance Code, is amended to read as follows:

Sec. 1952.056. REQUIRED PROVISION: COVERAGE FOR CERTAIN SPOUSES AND FAMILY MEMBERS. A personal automobile insurance policy or any similar policy form adopted or approved by the commissioner under Article 5.06 or filed under Subchapter B, Chapter 2301, that covers liability arising out of ownership, maintenance, or use of a motor vehicle shall:

(a) provide continuing coverage for a spouse during a period of separation in contemplation of divorce; and

(b) not exclude from coverage any other family member of the insured, including any person who is related by blood, adoption or marriage and who resides in the named insured's household. [~~of a spouse who is otherwise insured by the policy must contain a provision to continue coverage for the spouse during a period of separation in contemplation of divorce.~~]

SECTION 2. This Act applies only to an action commenced on or after the effective date of this Act. An action that is commenced before the effective date of this Act is governed by the law applicable to the action immediately before the effective date

1 of this Act, and that law in continued in effect for that purpose.

2 SECTION 3. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2009.