

By: Deuell

S.B. No. 2416

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain insurers to engage in the business of health insurance in this state.

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

SECTION 1. Section 982.051, Insurance Code, is amended to read as follows:

Sec. 982.051. CERTIFICATE OF AUTHORITY REQUIRED FOR LIFE, HEALTH, OR ACCIDENT COMPANIES. A foreign insurance company may not engage in the business of insurance as a life insurance company, accident insurance company, life and accident insurance company, health and accident insurance company, or life, health, and accident insurance company in this state, except for the lending of money, without first obtaining from the department a certificate of authority that:

(1) shows that the foreign insurance company has fully complied with the laws of this state or obtained a waiver under Section 982.113(c); and

(2) authorizes the foreign insurance company to engage in the business of insurance in this state.

SECTION 2. Section 982.113, Insurance Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c) Notwithstanding the requirements of Subsections (a) and (b), the commissioner, for a foreign insurer, shall waive any prerequisite described by this subchapter to obtaining a

1 certificate of authority to engage in a type of business regulated
2 under Title 8, if:

3 (1) the foreign insurer holds a license, certificate
4 of authority, or similar authorization issued by another state to
5 engage in that same type of business; and

6 (2) the issuing state has licensing, certification, or
7 authorization requirements substantially equivalent to the
8 requirements of this subchapter.

9 (d) A certificate of authority issued under Subsection (c)
10 must authorize the foreign insurer to issue in this state the same
11 levels and types of coverage as the insurer is authorized to issue
12 in the state issuing the license, certificate of authority, or
13 other authorization that provided the basis for the waiver of
14 prerequisites under Subsection (c), regardless of whether those
15 levels or types of coverage are otherwise authorized in this state.

16 (e) The commissioner may adopt rules necessary to implement
17 this section.

18 SECTION 3. This Act takes effect September 1, 2009.