

Amend HB 1951 (house committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES of the bill accordingly:

ARTICLE \_\_\_\_\_. FAIR PLAN ASSOCIATION

SECTION \_\_\_\_\_. Subchapter A, Chapter 2211, Insurance Code, is amended by adding Section 2211.004 to read as follows:

Sec. 2211.004. APPLICABILITY OF CERTAIN OTHER LAW; LIMITATION ON DAMAGES. (a) The association may not be held liable for any amount on a claim filed under an insurance policy issued by the association other than:

(1) as applicable, amounts payable under the terms of the policy for loss to an insured structure, loss to contents of an insured structure, and additional living expenses; and

(2) court costs and reasonable attorney's fees.

(b) An insured may not recover consequential, punitive, or exemplary damages in a cause of action against the association, including damages under Section 541.152(b) of this code or Section 17.50, Business & Commerce Code, or interest in the amount described by Section 542.060 of this code.

SECTION \_\_\_\_\_. Section 2211.004, Insurance Code, as added by this article, applies only to a cause of action that accrues against the FAIR Plan Association on or after the effective date of this Act. A cause of action that accrues before the effective date of this Act is governed by the law in effect on the date the cause of action accrued, and the former law is continued in effect for that purpose.