

Amend Amendment No. 6 by Darby to **HB 1951** (page 15, prefiled amendments packet) as follows:

(1) On page 8 of the amendment, between lines 21 and 22, insert the following appropriately numbered SECTION and renumber the subsequent SECTIONS accordingly:

SECTION 5.____. Subchapter B, Chapter 2703, Insurance Code, is amended by adding Section 2703.0515 to read as follows:

Sec. 2703.0515. CERTAIN REQUIREMENTS PROHIBITED. (a) A title insurance company is not required to offer or provide in connection with a title insurance policy an endorsement insuring a loss from damage resulting from the use of the surface of the land for the extraction or development of coal, lignite, oil, gas, or another mineral if the policy includes a general exception or exclusion from coverage a loss from damage resulting from the use of the surface of the land for the extraction or development of coal, lignite, oil, gas, or another mineral.

(b) In this section, "general exception or exclusion" means a provision in a title insurance policy or other title insuring form that provides that title insurance coverage under the policy or form:

(1) is subject to, and the title insurer does not insure title to, and excepts from the description of the covered property, coal, lignite, oil, gas, and other minerals in and under and that may be produced from the covered property, together with related rights, privileges, and immunities; or

(2) does not cover a lease, grant, exception, or reservation of coal, lignite, oil, gas, or other minerals, or related rights, privileges, and immunities, appearing in the public records.

(c) The premium for a policy of title insurance may not be increased directly or indirectly based on a title insurance company's voluntary issuance of an endorsement described by Subsection (a). An additional premium or other amount may not be charged directly or indirectly for the issuance of an endorsement described by Subsection (a).

(2) On page 12 of the amendment, between lines 26 and 27, insert the following appropriately numbered SECTION and renumber

the subsequent SECTION accordingly:

SECTION 5.____. Section 2703.0515, Insurance Code, as added by this ARTICLE, applies only to a title insurance policy that is delivered or issued for delivery on or after January 1, 2012. A policy delivered or issued for delivery before January 1, 2012, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.