

By: Wentworth
(Thompson)

S.B. No. 918

A BILL TO BE ENTITLED

AN ACT

relating to immunity for reporting insurance fraud.

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

SECTION 1. Subsection (a), Section 701.052, Insurance Code, is amended to read as follows:

(a) A person is not liable in a civil action, including an action for libel or slander, and a civil action may not be brought against the person, for furnishing information relating to a suspected, anticipated, or completed fraudulent insurance act if the information is provided to:

(1) an authorized governmental agency or the department;

(2) a law enforcement officer or an agent or employee of the officer;

(3) the National Association of Insurance Commissioners or an employee of the association;

(4) a state or federal governmental agency established to detect and prevent fraudulent insurance acts or to regulate the business of insurance or an employee of the agency; ~~or~~

(5) a special investigative unit of an insurer, including a person who contracts to provide special investigative unit services to the insurer or an employee of the insurer who is responsible for the investigation of suspected fraudulent insurance acts; or

1 (6) an organization described by Section 701.051(c),
2 if the person is a member of the organization and:

3 (A) the person has reported the information as
4 required by Section 701.051(a); or

5 (B) the organization has reported the
6 information to the insurance fraud unit as required by Section
7 701.051(c) on behalf of the person and in a manner that fully
8 complies with the person's obligations under Section 701.051(a).

9 SECTION 2. The change in law made by this Act applies only
10 to the furnishing of information described by Subsection (a),
11 Section 701.052, Insurance Code, as amended by this Act, on or after
12 the effective date of this Act. The furnishing of information
13 before the effective date of this Act is governed by the law in
14 effect immediately before the effective date of this Act, and that
15 law is continued in effect for that purpose.

16 SECTION 3. This Act takes effect September 1, 2011.