

By: Eiland

H.B. No. 2163

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an annual assessment on insurers for the examination of
3 insurers; imposing an assessment.

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

5 SECTION 1. Section 401.152, Insurance Code, is amended by
6 adding Subsection (a-1) to read as follows:

7 (a-1) The department shall also impose an annual assessment
8 on insurers not organized under the laws of this state subject to
9 examination as described by this section in an amount sufficient to
10 meet all other expenses and disbursements necessary to comply with
11 the laws of this state relating to the examination of insurers. The
12 amount imposed under this subsection must be computed in the same
13 manner as the amount imposed under Section 401.151(c) for domestic
14 insurers.

15 SECTION 2. Section 401.156, Insurance Code, is amended by
16 amending Subsections (a) and (d) and adding Subsection (a-1) to
17 read as follows:

18 (a) The department shall deposit any assessments or fees
19 collected under this subchapter relating to the examination of
20 insurers and other regulated entities by the financial examinations
21 division or actuarial division, as those terms are defined by
22 Section 401.251, to the credit of an account with the Texas Treasury
23 Safekeeping Trust Company to be used exclusively to pay examination
24 costs, as defined by Section 401.251, to reimburse administrative

1 support costs for the Texas Department of Insurance operating
2 account, and to reimburse premium tax credits for examination costs
3 and examination overhead assessments.

4 (a-1) Money deposited under Subsection (a) [~~this~~
5 ~~subsection~~] accumulates and may be disbursed to the department in a
6 manner consistent with Subchapter F.

7 (d) The department may transfer funds between the account
8 described by Subsection (a) and the Texas Department of Insurance
9 operating account as necessary to ensure that funds are deposited
10 to the correct account and used for the correct purposes. This
11 subsection does not authorize a disbursement or transfer of funds
12 in a manner that is inconsistent with the purposes [~~purpose~~] of
13 Subchapter F and this section.

14 SECTION 3. This Act takes effect September 1, 2013.