

By: Schaefer

H.B. No. 2257

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the regulation of property and casualty insurance
3 rates.

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

5 SECTION 1. Section 2251.003(c), Insurance Code, is amended
6 to read as follows:

7 (c) Sections 2251.008, 2251.052, 2251.101, 2251.102,
8 [~~2251.103,~~] 2251.104, 2251.105, and 2251.107 do not apply to a
9 Lloyd's plan or a reciprocal or interinsurance exchange with
10 respect to commercial property insurance, inland marine insurance,
11 rain insurance, or hail insurance on farm crops.

12 SECTION 2. Section 2251.1031(b), Insurance Code, is amended
13 to read as follows:

14 (b) If the department requests additional information from
15 the insurer during the 30-day period described by Section
16 [~~2251.103(a) or~~] 2251.153(a) or under a second 30-day period
17 described by Section [~~2251.103(c) or~~] 2251.153(c), as applicable,
18 the time between the date the department submits the request to the
19 insurer and the date the department receives the information
20 requested is not included in the computation of the first 30-day
21 period or the second 30-day period, as applicable.

22 SECTION 3. Section 2251.104(a), Insurance Code, is amended
23 to read as follows:

24 (a) The commissioner may disapprove only a rate that is in

1 effect, and may do so only after a hearing. The commissioner shall
2 provide the filer written notice not later than the 30th day after
3 the date the rate takes effect, and not later than the 20th day
4 before the date of the hearing [~~at least 20 days' written notice~~].

5 SECTION 4. Sections 2251.156(a) and (b), Insurance Code,
6 are amended to read as follows:

7 (a) If the commissioner disapproves a rate filing under
8 Section 2251.153(a)(2), the commissioner shall issue an order
9 specifying in what respects the rate fails to meet the requirements
10 of this chapter [~~disapproving the filing in accordance with Section~~
11 ~~2251.103(d)~~].

12 (b) An insurer whose rate filing is disapproved is entitled
13 to a hearing on written request made to the commissioner not later
14 than the 30th day after the date the order disapproving the rate
15 takes effect [~~in accordance with Section 2251.103(e)~~].

16 SECTION 5. Section 2251.103, Insurance Code, is repealed.

17 SECTION 6. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2013.