

By: Davis

S.B. No. 979

A BILL TO BE ENTITLED

AN ACT

relating to the determination by a motor vehicle insurer of the value of a vehicle declared a total loss.

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

SECTION 1. Section 1952.001, Insurance Code, is amended to read as follows:

Sec. 1952.001. APPLICABILITY OF CHAPTER. Except as otherwise provided by this chapter ~~[provided by Section 1952.201]~~, this chapter applies to an insurer writing automobile insurance in this state, including an insurance company, corporation, reciprocal or interinsurance exchange, mutual insurance company, association, Lloyd's plan, or other insurer.

SECTION 2. Chapter 1952, Insurance Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. PAYMENT OF DAMAGES FOR MOTOR VEHICLE LOSSES

Sec. 1952.351. APPLICABILITY OF SUBCHAPTER. This subchapter applies to an insurer writing automobile insurance in this state, including an insurance company, reciprocal or interinsurance exchange, mutual insurance company, capital stock company, county mutual insurance company, Lloyd's plan, or other entity.

Sec. 1952.352. DETERMINATION OF VALUE. (a) An insurer that pays damages for a motor vehicle that has been declared a total loss shall determine the value of the motor vehicle at the time of loss

1 using a version of a compilation approved by the public counsel of
2 the office of public insurance counsel under Subsection (b).

3 (b) The public counsel of the office of public insurance
4 counsel by rule shall approve a list of nationally recognized
5 compilations, including electronic databases, that present fair
6 and representative retail values of motor vehicles in this state.

7 SECTION 3. Section 1952.352, Insurance Code, as added by
8 this Act, applies only to an insurance policy that is delivered,
9 issued for delivery, or renewed on or after January 1, 2014. A
10 policy delivered, issued for delivery, or renewed before January 1,
11 2014, is governed by the law as it existed immediately before the
12 effective date of this Act, and that law is continued in effect for
13 that purpose.

14 SECTION 4. This Act takes effect September 1, 2013.