

By: West

S.B. No. 1121

A BILL TO BE ENTITLED

AN ACT

relating to coverage for certain architectural engineering services under certain insurance policies.

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

SECTION 1. Subchapter A, Chapter 2002, Insurance Code, is amended by adding Section 2002.007 to read as follows:

Sec. 2002.007. ARCHITECTURAL ENGINEERING COVERAGE FOR DAMAGE TO DWELLING. (a) In this section, "insurer" and "residential property insurance" have the meanings assigned by Section 2301.051.

(b) Except as provided by Subsection (c), an insurer, including the Texas Windstorm Insurance Association and the FAIR Plan Association, may not deliver or issue for delivery a residential property or Texas windstorm and hail insurance policy in this state unless the policy provides coverage for an evaluation and analysis, performed by an appropriately qualified architectural engineer, of the covered dwelling in a circumstance in which a covered peril may have caused structural damage to the dwelling.

(c) The insured may reject the coverage required by this section.

(d) This section does not apply to an insurance policy that provides coverage only for the contents of a dwelling.

SECTION 2. This Act applies only to an insurance policy

1 delivered, issued for delivery, or renewed on or after January 1,  
2 2014. A policy delivered, issued for delivery, or renewed before  
3 January 1, 2014, is governed by the law as it existed immediately  
4 before the effective date of this Act, and that law is continued in  
5 effect for that purpose.

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