

Amend **CSSB 1628** (senate committee printing) by inserting the following appropriately numbered SECTION and renumbering SECTIONS of the bill appropriately:

SECTION _____. The legislature finds that:

(1) there is an explosion in property insurance litigation, often related to hail claims, that has created a property insurance crisis for consumers that must be addressed for the benefit of consumers;

(2) the property insurance crisis, if left unchecked, will severely affect the availability and affordability of property insurance for consumers, including coverage for hail claims, to the detriment of consumers;

(3) this Act will help consumers who currently sometimes barely qualify for home loans, or may be unable to qualify for those loans, because of the increase in the cost of insurance attributable to hail claims litigation;

(4) this Act will help consumers by:

(A) preventing further disruption of the insurance market and erosion in the availability of property insurance caused by hail claims litigation as have already been seen in certain parts of the state in which carriers have withdrawn from geographical markets and stopped offering insurance to consumers;

(B) preventing an increase in future premiums caused by the losses attributable to hail claims litigation;

(C) preventing an increase in deductibles in property insurance policies attributable to hail claims litigation;

(D) reducing the incentives to those unscrupulous public adjusters, roofers, contractors, and lawyers who provide fraudulent or inflated estimates and claims in the name of consumers;

(E) requiring lawyers to make sure the consumers have actual awareness of the claims being submitted on behalf of the consumers;

(F) requiring lawyers to inform consumers that lawsuits are being filed in the name of the consumers;

(G) requiring public adjusters, roofers, contractors, and lawyers to disclose their actual relationships to one another, which currently may not be disclosed;

(H) ensuring that each consumer in fact knows the damages the consumer is seeking in any claim or lawsuit that is filed;

(I) reducing instances of fraud or misinformation in the preparation and submission of property insurance claims and the filing of lawsuits related to those claims;

(J) encouraging consumers and those who act on behalf of consumers to diligently identify and pursue claims so consumers are not faced with insurance carrier assertions that policyholder claims are filed too late and can, as a result, be declined; and

(K) providing insurance policyholders a transparent and fair appraisal process to resolve disputes with insurance carriers without the need of expensive, risky, and time-consuming lawsuits, while maintaining consumers' rights to pursue lawsuits against carriers, if necessary;

(5) this Act will help deter corruption of the law and will help restore respect for the law by preventing rampant solicitation of fraudulent or non-meritorious claims and the filing of fraudulent, inflated, or otherwise non-meritorious claims; and

(6) this Act will help prevent disruption and dislocation in the real estate and financial markets by deterring abusive lawsuits that make property and casualty insurance unaffordable or unavailable to many Texans, resulting in artificial costs and barriers to the sale and rental of improved real estate properties and the placement of loans on those properties.