

By: Frullo

H.B. No. 4024

A BILL TO BE ENTITLED

AN ACT

relating to the application of the open meetings and public information laws to the Texas Mutual Insurance Company.

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

SECTION 1. Section 2054.003(c), Insurance Code, is amended to read as follows:

(c) The company is not a state agency or executive agency or a governmental entity for any purpose and is subject to a law applicable to such an agency or entity only as provided by this chapter.

SECTION 2. Section 2054.007, Insurance Code, is amended to read as follows:

Sec. 2054.007. APPLICABILITY OF OPEN MEETINGS LAW AND OPEN RECORDS LAW; EXCEPTIONS ~~[NOT APPLICABLE]~~. (a) Except as provided by Subsections (b) and (c) [Notwithstanding any other state law], Chapters 551 and 552, Government Code, apply ~~[do not apply]~~ to the company.

(b) The board may hold closed meetings to consider:

(1) information relating to claims, rates, or the company's underwriting guidelines; or

(2) other information that would give advantage to a competitor or bidder.

(c) The board may refuse to disclose:

(1) information relating to claims, rates, or the

1 company's underwriting guidelines; or

2 (2) other information that would give advantage to a  
3 competitor or bidder.

4 SECTION 3. Section 2054.008(d), Insurance Code, is amended  
5 to read as follows:

6 (d) Except as provided by Subsection (e), a company  
7 investigation file:

8 (1) is confidential and not subject to disclosure  
9 under Chapter 552, Government Code; and

10 (2) may be disclosed only:

11 (A) in a criminal proceeding;

12 (B) in a hearing conducted by the division of  
13 workers' compensation of the department;

14 (C) on a judicial determination of good cause; or

15 (D) to a governmental agency, political  
16 subdivision, or regulatory body if the disclosure is necessary or  
17 proper for the enforcement of a law of this state, another state, or  
18 the United States.

19 SECTION 4. Section 2054.256(b), Insurance Code, is amended  
20 to read as follows:

21 (b) Except as otherwise required or permitted by Chapter  
22 552, Government Code, the ~~[The]~~ company may not provide to an  
23 insurance agent information obtained from another insurance agent.

24 SECTION 5. The following sections of the Government Code  
25 are repealed:

26 (1) Section 552.0225(c); and

27 (2) Section 552.143(f).

1           SECTION 6. (a) The change in law made to Section 2054.007,  
2 Insurance Code, by this Act applies only to a meeting of the Texas  
3 Mutual Insurance Company for which notice is given under Chapter  
4 551, Government Code, on or after the effective date of this Act.

5           (b) The change in law made by this Act applies only to a  
6 request for information that is received by the Texas Mutual  
7 Insurance Company or an officer for public information on or after  
8 the effective date of this Act. A request for information that was  
9 received before the effective date of this Act is governed by the  
10 law as it existed on the date the request was received, and the  
11 former law is continued in effect for that purpose.

12          (c) The change in law made by this Act applies to  
13 information maintained in investigation files of the Texas Mutual  
14 Insurance Company without regard to the date the information is  
15 collected, compiled, or developed or otherwise becomes part of the  
16 investigation file.

17          SECTION 7. This Act takes effect September 1, 2015.