

By: Taylor of Galveston, et al.
(Bonnen of Brazoria)

S.B. No. 498

A BILL TO BE ENTITLED

AN ACT

relating to building code requirements for residential property insured by the Texas Windstorm Insurance Association.

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

SECTION 1. Section 2210.251(f), Insurance Code, is amended to read as follows:

(f) Notwithstanding any other provision of this section, insurance coverage for a residential structure may be issued or renewed through the association subject to the inspection requirements imposed under Section 2210.258, if applicable. ~~[This subsection expires December 31, 2015.]~~

SECTION 2. Sections 2210.258(a) and (c), Insurance Code, are amended to read as follows:

(a) Except as provided by Subsection (c) ~~[and Section 2210.2581]~~ and notwithstanding any other provision of this chapter, to be eligible for insurance through the association, all construction, alteration, remodeling, enlargement, and repair of, or addition to, any structure located in the catastrophe area that is begun on or after the effective date of Sections 5 through 49, H.B. ~~[No.]~~ 4409, ~~[Acts of the]~~ 81st Legislature, Regular Session, 2009, must be performed in compliance with the applicable building code standards, as set forth in the plan of operation.

(c) The association may insure a residential structure constructed, altered, remodeled, enlarged, repaired, or added to on

1 or after June 19, 2009, that is not in compliance with the
2 applicable building code standards, as set forth in the plan of
3 operation, provided that:

4 (1) the structure had been insured on or after June 19,
5 2009, by an insurer in the private market that canceled or
6 nonrenewed the insurance coverage of the structure [~~before December~~
7 ~~31, 2015~~];

8 (2) the applicant provides to the association proof
9 that insurance coverage that was issued to the applicant or the
10 previous insured for the structure was canceled or nonrenewed in
11 the private market as described by Subdivision (1); and

12 (3) no construction, alteration, remodeling,
13 enlargement, or repair of, or addition to, the structure occurred
14 after cancellation or nonrenewal of the coverage and before
15 submission of an application for coverage through the association.

16 SECTION 3. Section [2210.2581](#), Insurance Code, is repealed.

17 SECTION 4. 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, 2015.