

By: Hinojosa, Taylor of Galveston

S.B. No. 122

A BILL TO BE ENTITLED

1 AN ACT
2 relating to rate filings by the Texas Windstorm Insurance
3 Association.

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

5 SECTION 1. Section 2210.351(d), Insurance Code, is amended
6 to read as follows:

7 (d) The association may use a rate filed by the association
8 without prior commissioner approval if:

9 (1) the filing is made not later than the 30th day
10 before the date of any use or delivery for use of the rate;

11 (2) the filed rate does not exceed 101 [~~105~~] percent of
12 the rate in effect on the date on which the filing is made;

13 (3) the filed rate does not reflect a rate change for
14 an individual rating class that is more than one [~~10~~] percent higher
15 than the rate in effect for that rating class on the date on which
16 the filing is made; and

17 (4) the commissioner has not disapproved the filing in
18 writing, advising of the reasons for the disapproval and the
19 criteria the association is required to meet to obtain approval.

20 SECTION 2. Section 2210.352(a-1), Insurance Code, is
21 amended to read as follows:

22 (a-1) The association may use a rate filed by the
23 association under this section without prior commissioner approval
24 if:

1 (1) the filing is made not later than the 30th day
2 before the date of any use or delivery for use of the rate;

3 (2) the filed rate does not exceed 101 [~~105~~] percent of
4 the rate used by the association in effect on the date on which the
5 filing is made; and

6 (3) the filed rate does not reflect a rate change for
7 an individual rating class that is more than one [~~10~~] percent higher
8 than the rate in effect for that rating class on the date on which
9 the filing is made.

10 SECTION 3. The change in law made by this Act applies only
11 to a rate filed by the Texas Windstorm Insurance Association with
12 the Texas Department of Insurance on or after the effective date of
13 this Act. A rate filed with the Texas Department of Insurance
14 before the effective date of this Act is governed by the law as it
15 existed immediately before that date, and that law is continued in
16 effect for that purpose.

17 SECTION 4. This Act takes effect December 1, 2017.