

By: Smithee

H.B. No. 3149

A BILL TO BE ENTITLED

1 AN ACT
2 relating to confidentiality of reports and related information for
3 a solvency examination of an insurance carrier.

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

5 SECTION 1. Section 401.058, Insurance Code, is amended by
6 amending Subsection (a) and adding Subsection (c) to read as
7 follows:

8 (a) Except as provided by Subsection (c), a [A] final or
9 preliminary examination report and any information obtained during
10 an examination are confidential and privileged for all purposes.
11 This information is inadmissible as evidence in a civil action and
12 is [are] not subject to:

- 13 (1) disclosure under Chapter 552, Government Code;
14 (2) a subpoena, other than a grand jury subpoena; or
15 (3) discovery in a civil action.

16 (c) Subsection (a) does not limit the commissioner's
17 authority to use a final or preliminary examination report and any
18 information obtained during an examination in the furtherance of
19 any legal or regulatory action that the commissioner, in the
20 commissioner's sole discretion, considers appropriate.

21 SECTION 2. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2017.