

By: Bonnen of Galveston

H.B. No. 3734

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the rulemaking authority of the commissioner of
3 insurance with respect to certain agreements and the effect of
4 those agreements on this state's authority to regulate insurance.

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

6 SECTION 1. Subchapter A, Chapter 36, Insurance Code, is
7 amended by adding Section 36.007 to read as follows:

8 Sec. 36.007. RULES RELATING TO AGREEMENTS LIMITING STATE
9 AUTHORITY TO REGULATE INSURANCE PROHIBITED; EFFECT OF AGREEMENT.

10 (a) The commissioner may not adopt or enforce a rule that
11 implements an interstate, national, or international agreement
12 that:

13 (1) infringes on the authority of this state to
14 regulate the business of insurance in this state; and

15 (2) was not approved by the legislature.

16 (b) An agreement described by Subsection (a) has no effect
17 on the authority of this state to regulate the business of insurance
18 in this state unless the agreement is approved by the legislature.

19 SECTION 2. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2017.