

1-1 By: Taylor of Galveston S.B. No. 1449
 1-2 (In the Senate - Filed March 8, 2017; March 20, 2017, read
 1-3 first time and referred to Committee on Business & Commerce;
 1-4 April 24, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 24, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1449 By: Taylor of Galveston

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to an insurer's compliance with National Association of
 1-22 Insurance Commissioners requirements.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 36.004, Insurance Code, is amended to
 1-25 read as follows:

1-26 Sec. 36.004. COMPLIANCE WITH NATIONAL ASSOCIATION OF
 1-27 INSURANCE COMMISSIONERS REQUIREMENTS; INTERIM RULES. (a) Except
 1-28 as provided by Subsection (c) and Section 36.005 and
 1-29 notwithstanding any other law, the department may not require an
 1-30 insurer to comply with a rule, regulation, directive, or standard
 1-31 adopted by the National Association of Insurance Commissioners,
 1-32 including a rule, regulation, directive, or standard relating to
 1-33 policy reserves, unless application of that version of the rule,
 1-34 regulation, directive, or standard is expressly authorized by
 1-35 statute ~~[and approved by the commissioner]~~.

1-36 (b) For purposes of Subsection (a), a version of a rule,
 1-37 regulation, directive, or standard is expressly authorized by
 1-38 statute if:

- 1-39 (1) the statute explicitly authorizes that version; or
- 1-40 (2) that version is the latest version of the rule,
 1-41 regulation, directive, or standard on the date that the statute was
 1-42 enacted.

1-43 (c) The commissioner may adopt an interim rule to require
 1-44 compliance with a rule, regulation, directive, or standard adopted
 1-45 by the National Association of Insurance Commissioners if:

- 1-46 (1) the commissioner finds the rule is technical or
 1-47 nonsubstantive in nature or necessary to preserve the department's
 1-48 accreditation; and
- 1-49 (2) before the adoption of the rule, the commissioner
 1-50 provides the standing committees of the senate and house of
 1-51 representatives with primary jurisdiction over the department with
 1-52 written notice of the commissioner's intent to adopt the rule.

1-53 (d) Unless the legislature during the following regular
 1-54 legislative session enacts a law expressly approving or reflecting
 1-55 the substance of an interim rule adopted under Subsection (c), the
 1-56 rule is effective until the earlier of:

- 1-57 (1) the day after the date on which the session ends;
 1-58 or
- 1-59 (2) the effective date of a law that expressly
 1-60 disapproves of or supersedes the rule.

2-1 SECTION 2. This Act takes effect immediately if it receives
2-2 a vote of two-thirds of all the members elected to each house, as
2-3 provided by Section 39, Article III, Texas Constitution. If this
2-4 Act does not receive the vote necessary for immediate effect, this
2-5 Act takes effect September 1, 2017.

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