

House Bill 2437
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

(a) Except as provided by Subsection (c), a [A] final or preliminary examination report and any information obtained during an examination are confidential and privileged for all purposes. This information is [are] not subject to:

(1) disclosure under Chapter 552, Government Code;

(2) a subpoena, other than a grand jury subpoena; or

(3) discovery or admissibility in evidence in a civil action.

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

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

SENATE VERSION (IE)

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

(a) A final or preliminary examination report and any information obtained during an examination are confidential and privileged for all purposes. This information is [are] not subject to:

(1) disclosure under Chapter 552, Government Code;

(2) a subpoena, other than a grand jury subpoena; or

(3) discovery or admissibility in evidence in a civil action.

[FA1(1)]

(c) Subsection (a) does not limit the commissioner's authority to use a final or preliminary examination report and any information obtained during an examination in the furtherance of any legal or regulatory action relating to the administration of this code that the commissioner, in the commissioner's sole discretion, considers appropriate. [FA1(2)]

SECTION 2. Same as House version.

CONFERENCE