



2019 MAY 15 AM 8:16

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: M. Middleton

1 Amend C.S.S.B. No. 615 (house committee report) as follows:

2 (1) Add the following appropriately numbered SECTIONS to
3 the bill and renumber subsequent SECTIONS of the bill accordingly:

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

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

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

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

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

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

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

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

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

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

29 (3) the filed rate does not reflect a rate [~~change~~] for

1 an individual rating class that is [~~10 percent~~] higher than the rate
2 in effect for that rating class on the date on which the filing is
3 made.

4 SECTION _____. (a) Subchapter H, Chapter 2210, Insurance
5 Code, is amended by adding Section 2210.3521 to read as follows:

6 Sec. 2210.3521. TEMPORARY RATE FREEZE; ROLLBACK. (a)
7 Notwithstanding any rate increase that takes effect on or after May
8 16, 2019, the rate for an association policy issued or renewed on or
9 after September 1, 2019, and before September 1, 2021, is the rate
10 in effect May 16, 2019. For a policy in effect on September 1, 2019,
11 for which a rate increase took effect on or after May 16, 2019, the
12 rate for any coverage provided on or after September 1, 2019, and
13 before September 1, 2021, is the rate in effect on May 16, 2019.

14 (b) This section expires September 1, 2021.

15 (b) This section takes effect only if this Act does not
16 receive the vote necessary for the sections of this Act amending
17 Sections 2210.351(d) and 2210.352(a-1), Insurance Code, to take
18 effect immediately.

19 (2) On page 16, line 24, strike "This" and substitute "(a)
20 Except as provided by Subsection (b), this".

21 (3) On page 16, immediately after line 24, insert the
22 following:

23 (b) The sections of this Act amending Sections 2210.351(d)
24 and 2210.352(a-1), Insurance Code, take effect immediately if this
25 Act receives a vote of two-thirds of all the members elected to each
26 house, as provided by Section 39, Article III, Texas Constitution.
27 If this Act does not receive the vote necessary for those sections
28 of this Act to have immediate effect, those sections take effect
29 September 1, 2019.