



2019 MAY 15 AM 9:41

HOUSE OF REPRESENTATIVES

Herrero

FLOOR AMENDMENT NO. _____

BY: _____

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

(1) On page 2, strike lines 11 and 12, and substitute the following:

SECTION 3. Section 2210.102, Insurance Code, is amended by amending Subsections (a), (c), (c-1), and (f) and adding Subsection (g) to read as follows:

(2) On page 2, between lines 12 and 13, insert the following:

(a) The board of directors is composed of 11 [~~nine~~] members appointed by the governor [~~commissioner~~] in accordance with this section.

(c) Five [~~Three~~] members must, as of the date of the appointment, reside in the first tier coastal counties. Each of the following regions must be represented by a member residing in the region and appointed under this subsection:

(1) the region consisting of Cameron, Kenedy, Kleberg, and Willacy Counties;

(2) the region consisting of Aransas, Calhoun, Nueces, Refugio, and San Patricio Counties; and

(3) the region consisting of Brazoria, Chambers, Galveston, Jefferson, and Matagorda Counties and any part of Harris County designated as a catastrophe area under Section 2210.005.

(c-1) One of the members appointed under Subsection (c) must be a property and casualty agent who is licensed under this code and is not a captive agent. Other members appointed under that subsection:

(1) must be association policyholders nominated by the office of public insurance counsel; and

(2) may not be property and casualty agents.

1 (f) Insurers who are members of the association shall
2 nominate, from among those members, persons to fill any vacancy in
3 the three board of director seats reserved for representatives of
4 the insurance industry. The board of directors shall solicit
5 nominations from the members and submit the nominations to the
6 governor [~~commissioner~~]. The nominee slate submitted to the
7 governor [~~commissioner~~] under this subsection must include at least
8 three more names than the number of vacancies. The governor
9 [~~commissioner~~] may appoint replacement insurance industry
10 representatives from the nominee slate.

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

13 SECTION _____. Section 2210.103, Insurance Code, is amended
14 to read as follows:

15 Sec. 2210.103. TERMS. (a) Members of the board of
16 directors serve two-year [~~three-year staggered~~] terms[, ~~with the~~
17 ~~terms of three members expiring on the third Tuesday of March of~~
18 ~~each year~~].

19 (b) A person may serve on the board of directors for not more
20 than three consecutive full terms, not to exceed six [~~nine~~] years.

21 (c) A member of the board of directors may be removed by the
22 governor [~~commissioner~~] with cause stated in writing and posted on
23 the association's website. The governor [~~commissioner~~] shall
24 appoint a replacement in accordance with Section 2210.102 for a
25 member who leaves or is removed from the board of directors.

26 SECTION _____. (a) The board of directors of the Texas
27 Windstorm Insurance Association established under Section
28 2210.102, Insurance Code, as that section existed before amendment
29 by this Act, is abolished effective December 1, 2019.

30 (b) The governor shall appoint the members of the board of
31 directors of the Texas Windstorm Insurance Association under

1 Section 2210.102, Insurance Code, as amended by this Act, not later
2 than December 1, 2019.

3 (c) The term of a person who is serving as a member of the
4 board of directors of the Texas Windstorm Insurance Association
5 immediately before the abolition of that board under Subsection (a)
6 of this section expires on December 1, 2019. Such a person is
7 eligible for appointment by the governor to the new board of
8 directors of the Texas Windstorm Insurance Association, subject to
9 the requirements of Section 2210.102, Insurance Code, as amended by
10 this Act.