By:  Lucio III, Wu (Senate Sponsor - Hancock) H.B. No. 1944

(In the Senate - Received from the House April 15, 2019; April 16, 2019, read first time and referred to Committee on Business & Commerce; May 2, 2019, reported favorably by the following vote: Yeas 8, Nays 0; May 2, 2019, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Hancock              X

Nichols              X

Campbell             X

Creighton            X

Menéndez             X

Paxton               X

Schwertner           X

Whitmire                       X

Zaffirini            X

A BILL TO BE ENTITLED

AN ACT

relating to extension of deadlines for claims and related settlement and dispute resolution under the Texas Windstorm Insurance Association Act.

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

SECTION 1.  Section 2210.581, Insurance Code, is amended by amending Subsections (a) and (b) and adding Subsection (d) to read as follows:

(a)  Subject to Subsection (b), the commissioner, on a showing of good cause, may by rule:

(1)  extend any deadline established under this subchapter; and

(2)  set the length of the extension.

(b)  With reference to deadlines applicable to the association only, all deadline extensions related to claims arising from [~~filed during~~] a particular storm [~~catastrophe year, the extension of deadlines under Subsection (a)~~] may not exceed 120 days in the aggregate. This subsection does not affect the extension of a deadline applicable to a claimant or to both the association and a claimant.

(d)  The commissioner shall adopt rules necessary to implement this section. Section 2001.0045, Government Code, does not apply to rules adopted under this subsection.

SECTION 2.  The change in law made by this Act applies only to a claim filed on or after the effective date of this Act. A claim filed before the effective date of this Act is governed by the law applicable to the claim immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2019.

\* \* \* \* \*