2019S0306-1 03/01/19

By:  Kolkhorst S.B. No. 2121

A BILL TO BE ENTITLED

AN ACT

relating to requiring certain risk pools to conduct own risk and solvency assessments.

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

SECTION 1.  Section 830.002(3), Insurance Code, is amended to read as follows:

(3)  "Insurer" means:

(A)  an insurer, as that term is defined [~~has the meaning assigned~~] by Section 823.002(6); or

(B)  a risk pool created under Chapter 172, Local Government Code.

SECTION 2.  Section 830.006, Insurance Code, is amended by adding Subsection (a-1) to read as follows:

(a-1)  Notwithstanding Subsection (a), a risk pool created under Chapter 172, Local Government Code, is subject to the requirements of this chapter regardless of the amount of annual direct written and unaffiliated assumed premium the risk pool has.

SECTION 3.  Section 172.014, Local Government Code, is amended to read as follows:

Sec. 172.014.  APPLICATION OF CERTAIN LAWS. (a)  A risk pool created under this chapter is not insurance or an insurer under the Insurance Code and other laws of this state, and, except as provided by Subsection (b), the commissioner of insurance and Texas Department of Insurance do [~~the State Board of Insurance does~~] not have jurisdiction over a pool created under this chapter.

(b)  A risk pool created under this chapter is subject to Chapter 830, Insurance Code.

SECTION 4.  This Act takes effect September 1, 2019.