

By: Hunter

H.B. No. 3960

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to rate filings by the Texas Windstorm Insurance  
3 Association.

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

5 SECTION 1. Section 2210.351(d), Insurance Code, is amended  
6 to read as follows:

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

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

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

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

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

20 SECTION 2. Section 2210.352(a-1), Insurance Code, is  
21 amended to read as follows:

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

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

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

6           (3) the filed rate does not reflect a rate [~~change~~] for  
7 an individual rating class that is [~~10 percent~~] higher than the rate  
8 in effect for that rating class on the date on which the filing is  
9 made.

10           SECTION 3. The change in law made by this Act applies only  
11 to a rate filed by the Texas Windstorm Insurance Association with  
12 the Texas Department of Insurance on or after the effective date of  
13 this Act. A rate filed with the Texas Department of Insurance  
14 before the effective date of this Act is governed by the law as it  
15 existed immediately before that date, and that law is continued in  
16 effect for that purpose.

17           SECTION 4. This Act takes effect December 1, 2019.