

By: Taylor

S.B. No. 1036

A BILL TO BE ENTITLED

AN ACT

relating to replacement cost coverage in policies issued by the Texas Windstorm Insurance Association.

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

SECTION 1. Sections 2210.207(c) and (d), Insurance Code, are amended to read as follows:

(c) If, on the effective date of an association policy ~~at the time of loss~~, the total amount of insurance applicable to a dwelling is equal to 80 percent or more of the full replacement cost of the dwelling or equal to the maximum amount of insurance otherwise available through the association, coverage applicable to the dwelling under the policy is extended to include the full cost of repair or replacement, without a deduction for depreciation.

(d) If, on the effective date of an association policy ~~at the time of loss~~, the total amount of insurance applicable to a dwelling is equal to less than 80 percent of the full replacement cost of the dwelling and less than the maximum amount of insurance available through the association, liability for loss under the policy may not exceed the replacement cost of the part of the dwelling that is damaged or destroyed, less depreciation.

SECTION 2. Section 2210.207, Insurance Code, as amended by this Act, applies only to an insurance policy delivered, issued for delivery, or renewed on or after January 1, 2020. A policy

1 delivered, issued for delivery, or renewed before January 1, 2020,
2 is governed by the law as it existed immediately before the
3 effective date of this Act, and that law is continued in effect for
4 that purpose.

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