

1-1 By: Thompson of Brazoria, Perez H.B. No. 2065
 1-2 (Senate Sponsor - Middleton)
 1-3 (In the Senate - Received from the House May 3, 2023;
 1-4 May 5, 2023, read first time and referred to Committee on Business
 1-5 & Commerce; May 16, 2023, reported favorably by the following vote:
 1-6 Yeas 10, Nays 0; May 16, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18			X	
1-19	X			

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to nonrenewal of certain private passenger automobile
 1-23 insurance policies for the insured's failure to cooperate in a
 1-24 third-party liability claim or action.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 551.1053, Insurance Code, is amended to
 1-27 read as follows:

1-28 Sec. 551.1053. MANDATORY NONRENEWAL OF PRIVATE PASSENGER
 1-29 AUTOMOBILE INSURANCE POLICIES. (a) If an insured under a private
 1-30 passenger automobile insurance policy fails or refuses to cooperate
 1-31 with an insurer in the investigation, settlement, or defense of a
 1-32 third-party liability claim or action or the insurer is unable to
 1-33 contact the insured using reasonable efforts for those purposes,
 1-34 the insurer shall provide written notice to the named insured that
 1-35 states:

1-36 (1) how the insured failed or refused to cooperate,
 1-37 including failure as a result of the insurer's inability to contact
 1-38 the insured;

1-39 (2) the claim or action for which the insurer is
 1-40 requesting cooperation; and

1-41 (3) the insurer will not renew the policy if the
 1-42 insured continues to fail or refuse to cooperate.

1-43 (b) Notwithstanding Sections 551.105 and 551.106, an
 1-44 insurer may not renew a private passenger automobile insurance
 1-45 policy if the ~~named~~ insured fails or refuses to cooperate with the
 1-46 insurer in the investigation, settlement, or defense of the
 1-47 third-party liability claim or action described by the notice
 1-48 provided under Subsection (a).

1-49 SECTION 2. Section 551.1053, Insurance Code, as amended by
 1-50 this Act, applies only to an insurance policy delivered, issued for
 1-51 delivery, or renewed on or after January 1, 2024. An insurance
 1-52 policy delivered, issued for delivery, or renewed before January 1,
 1-53 2024, is governed by the law as it existed immediately before the
 1-54 effective date of this Act, and that law is continued in effect for
 1-55 that purpose.

1-56 SECTION 3. This Act takes effect September 1, 2023.

1-57 * * * * *