

By: Lozano

H.B. No. 3310

A BILL TO BE ENTITLED

AN ACT

relating to deadlines for the claims appraisal process of the Texas
Windstorm Insurance Association.

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

SECTION 1. Section 2210.574, Insurance Code, is amended by
amending Subsection (d) and adding Subsection (d-1) to read as
follows:

(d) If a claimant demands appraisal under this section:

(1) the appraisal must be conducted as provided by the
association policy; ~~and~~

(2) the claimant and the association are responsible
in equal shares for paying any costs incurred or charged in
connection with the appraisal, including a fee charged under
Subsection (e); and

(3) the appraisal must be completed within the period
established under Subsection (d-1).

(d-1) In consultation with the association, the
commissioner shall adopt rules establishing the period in which an
appraisal demanded under this section must be completed. In
adopting the rules, the commissioner shall:

(1) allow flexibility for an adequate investigation of
the claim that is the subject of the appraisal; and

(2) consider the time necessary to preserve the
independence of the appraisers.

1 SECTION 2. Not later than January 1, 2024, the commissioner
2 of insurance shall adopt rules required by Section 2210.574,
3 Insurance Code, as amended by this Act.

4 SECTION 3. Section 2210.574, Insurance Code, as amended by
5 this Act, applies only to an appraisal demanded on or after January
6 1, 2024. An appraisal demanded before January 1, 2024, is governed
7 by the law in effect on the date the appraisal was demanded, and
8 that law is continued in effect for that purpose.

9 SECTION 4. This Act takes effect September 1, 2023.