

By: Lozano

H.B. No. 3310

Substitute the following for H.B. No. 3310:

By: Oliverson

C.S.H.B. No. 3310

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to deadlines for the claims appraisal process of the Texas  
3 Windstorm Insurance Association.

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

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

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

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

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

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

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

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

23 (2) consider the time necessary to preserve the  
24 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.