

By: Paul

H.B. No. 3333

A BILL TO BE ENTITLED

AN ACT

1
2 relating to eligibility for coverage by the Fair Access to
3 Insurance Requirements Plan in certain areas.

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

5 SECTION 1. Section [2211.151](#), Insurance Code, is amended to
6 read as follows:

7 Sec. 2211.151. MANDATORY COVERAGE PROVIDED TO CERTAIN
8 INSUREDS. (a) The association shall make residential property
9 insurance available to each applicant in an underserved area whose
10 property is insurable in accordance with reasonable underwriting
11 standards but who, after diligent efforts, is unable to obtain
12 residential property insurance through the voluntary market, as
13 evidenced by two declinations from insurers authorized to engage in
14 the business of, and writing, residential property insurance in
15 this state.

16 (b) For an applicant owning residential property located
17 not more than four miles beyond the Texas Windstorm Insurance
18 Association catastrophe area designated under Section [2210.005](#), an
19 offer of coverage for the property through the voluntary market at a
20 cost that exceeds 110 percent of the cost for an association policy
21 providing equivalent coverage of residential property with similar
22 rating characteristics, including size, elevation, age, and
23 construction standards, is considered a declination for purposes of
24 establishing eligibility for coverage under Subsection (a).

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2023.