

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Smithee, Perez, Hull

H.B. No. 1900

A BILL TO BE ENTITLED

AN ACT

relating to notice of nonrenewal of a property and casualty insurance policy.

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

SECTION 1. Section 551.105, Insurance Code, is amended to read as follows:

Sec. 551.105. NONRENEWAL OF POLICIES; NOTICE REQUIRED. Unless the insurer has mailed written notice of nonrenewal or renewal with written notice of change in coverage as provided by Section 2002.001 to the insured not later than the 60th [~~30th~~] day before the date on which the insurance policy expires, an insurer must renew an insurance policy, at the request of the insured, on the expiration of the policy. Notwithstanding the failure of an insurer to comply with this section, the policy shall terminate on the effective date of any replacement or succeeding insurance policy with another carrier with respect to the insured (a) personal automobile, (b) home, farm, ranch, dwelling, duplex, or apartment, or (c) other real or personal property.

SECTION 2. The changes in law made by this Act apply only to an insurance policy that is delivered, issued for delivery, or renewed on or after January 1, 2024. A policy delivered, issued for delivery, or renewed before January 1, 2024, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

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

**ADOPTED**

**MAY 17 2023**

*Latey Law*  
Secretary of the Senate

By: *L. W. Kellert*

H.B. No. 1900

Substitute the following for H.B. No. 1900:

By: *L. W. Kellert*

C.S. H.B. No. 1900

A BILL TO BE ENTITLED

1

AN ACT

2 relating to notice of cancellation or nonrenewal of a property and  
3 casualty insurance policy.

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

5 SECTION 1. Section 551.104(f), Insurance Code, is amended  
6 to read as follows:

7 (f) An insurer may cancel a personal automobile insurance  
8 policy effective on any 12-month anniversary of the original  
9 effective date of the policy if the insurer mails to the named  
10 insured written notice of the cancellation not later than the 60th  
11 [~~30th~~] day before the effective date of the cancellation.

12 SECTION 2. Section 551.105, Insurance Code, is amended to  
13 read as follows:

14 Sec. 551.105. NONRENEWAL OF POLICIES; NOTICE REQUIRED.  
15 Unless the insurer has mailed written notice of nonrenewal or  
16 renewal with written notice of change in coverage as provided by  
17 Section 2002.001 to the insured not later than the 60th [~~30th~~] day  
18 before the date on which the insurance policy expires, an insurer  
19 must renew an insurance policy, at the request of the insured, on  
20 the expiration of the policy. Notwithstanding the failure of an  
21 insurer to comply with this section, the policy shall terminate on  
22 the effective date of any replacement or succeeding insurance  
23 policy with another carrier with respect to the insured  
24 (a) personal automobile, (b) home, farm, ranch, dwelling,

1 duplex, or apartment, or (c) other real or personal property.

2 SECTION 3. The changes in law made by this Act apply only to  
3 an insurance policy that is delivered, issued for delivery, or  
4 renewed on or after January 1, 2024. A policy delivered, issued for  
5 delivery, or renewed before January 1, 2024, is governed by the law  
6 as it existed immediately before the effective date of this Act, and  
7 that law is continued in effect for that purpose.

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

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 17, 2023**

**TO:** Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1900** by Smithee (Relating to notice of cancellation or nonrenewal of a property and casualty insurance policy.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

Based on the analysis of the Department of Insurance, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 454 Department of Insurance

**LBB Staff:** JMc, SD, SZ, LBI, AAL, GDZ

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 10, 2023**

**TO:** Honorable Charles Schwertner, Chair, Senate Committee on Business & Commerce

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1900** by Smithee (relating to notice of cancellation or nonrenewal of a property and casualty insurance policy.), **Committee Report 2nd House, Substituted**

**No significant fiscal implication to the State is anticipated.**

Based on the analysis of the Department of Insurance, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 454 Department of Insurance

**LBB Staff:** JMc, SZ, LBI, AAL, GDZ

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**April 28, 2023**

**TO:** Honorable Charles Schwertner, Chair, Senate Committee on Business & Commerce

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1900** by Smithee (Relating to notice of nonrenewal of a property and casualty insurance policy.),  
**As Engrossed**

**No significant fiscal implication to the State is anticipated.**

Based on the analysis of the Department of Insurance, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 454 Department of Insurance

**LBB Staff:** JMc, SZ, AAL, GDZ, LBI

**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**March 9, 2023**

**TO:** Honorable Tom Oliverson, Chair, House Committee on Insurance

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1900** by Smithee (Relating to notice of nonrenewal of a property and casualty insurance policy.),  
**As Introduced**

**No significant fiscal implication to the State is anticipated.**

Based on the analysis of the Department of Insurance, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 454 Department of Insurance

**LBB Staff:** JMc, AAL, GDZ, LBI