

**House Bill 1706**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subchapter A, Chapter 4102, Insurance Code, is amended by adding Section 4102.007 to read as follows:

Sec. 4102.007. RIGHT TO CONTRACT WITH LICENSE HOLDER. (a) Notwithstanding Sections 4001.002 and 4102.002, this section applies to a commercial or residential property insurance policy issued by an insurer, including:

- (1) a capital stock insurance company;
- (2) a mutual insurance company;
- (3) a county mutual insurance company;
- (4) a Lloyd's plan;
- (5) a reciprocal or interinsurance exchange;
- (6) a farm mutual insurance company; and
- (7) an eligible surplus lines insurer if this state is the insured's home state as defined by Section 981.002.

(b) An insured has the right to enter into a contract with a license holder to help the insured meet the insured's obligations under the insured's insurance policy. An insurance policy issued in this state may not impede or prohibit this right.

(c) An insured is not required to enter into a contract described by Subsection (b).

SECTION 2. Section 4102.007, Insurance Code, as added by this Act, applies only to an insurance policy delivered, issued for delivery, or renewed on or after January 1, 2024.

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

SENATE VERSION (CS)

SECTION 1. Subchapter A, Chapter 4102, Insurance Code, is amended by adding Section 4102.007 to read as follows:

Sec. 4102.007. RIGHT TO CONTRACT WITH LICENSE HOLDER. (a) Notwithstanding Sections 4001.002 and 4102.002, this section applies to a commercial or residential property insurance policy issued by an insurer, including:

- (1) a capital stock insurance company;
- (2) a mutual insurance company;
- (3) a county mutual insurance company;
- (4) a Lloyd's plan;
- (5) a reciprocal or interinsurance exchange;
- (6) a farm mutual insurance company; and
- (7) an eligible surplus lines insurer if this state is the insured's home state as defined by Section 981.002.

(b) An insurance policy, including any endorsement, to which this section applies may not include a provision that prohibits an insured from contracting with a public insurance adjuster for services provided under this chapter.

(c) An insured is not required to enter into a contract described by Subsection (b).

SECTION 2. Same as House version.

SECTION 3. Same as House version.

CONFERENCE