

By: Smithee, Paul, et al.

H.B. No. 2841

Substitute the following for H.B. No. 2841:

By: Dean

C.S.H.B. No. 2841

A BILL TO BE ENTITLED

AN ACT

relating to Texas Windstorm Insurance Association underwriting standards for structures that meet certain construction standards.

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

SECTION 1. Section 2210.152, Insurance Code, is amended by adding Subsection (d) to read as follows:

(d) The plan of operation must provide that certification that a structure meets the fortified home, multifamily, or commercial construction standards published by the Insurance Institute for Business and Home Safety or its successor entity is an alternative to a certificate of compliance issued under Section 2210.2515 for purposes of Section 2210.258.

SECTION 2. Section 2210.258, Insurance Code, is amended by amending Subsections (a) and (b) and adding Subsection (e) to read as follows:

(a) Except as provided by Subsections (c), ~~and~~ (d), and (e) and notwithstanding any other provision of this chapter, to be eligible for insurance through the association, all construction, alteration, remodeling, enlargement, and repair of, or addition to, any structure located in the catastrophe area that is begun on or after the effective date of Sections 5 through 49, H.B. 4409, 81st Legislature, Regular Session, 2009, must be performed in compliance with the applicable building code standards, as set forth in the plan of operation.

1 (b) Except as provided by Subsections (c), ~~[and]~~ (d), and
2 (e), the association may not insure a structure described by
3 Subsection (a) until a certificate of compliance has been issued
4 for the structure in accordance with Section 2210.2515.

5 (e) The association may insure a structure constructed,
6 altered, remodeled, enlarged, repaired, or added to on or after
7 June 19, 2009, for which a certificate of compliance has not been
8 issued in accordance with Section 2210.2515, provided that the
9 department and the association have received a certification that
10 the structure was constructed in accordance with or retrofitted to
11 meet the fortified home, multifamily, or commercial construction
12 standards published by the Insurance Institute for Business and
13 Home Safety or its successor entity.

14 SECTION 3. Section 2210.259, Insurance Code, is amended by
15 adding Subsection (d) to read as follows:

16 (d) This section does not apply to an insurance policy
17 insuring a structure eligible for coverage under Section
18 2210.258(e).

19 SECTION 4. (a) The changes in law made by this Act apply
20 only to a structure constructed, altered, remodeled, enlarged,
21 repaired, or added to on or after the effective date of this Act.

22 (b) As soon as practicable after the effective date of this
23 Act, the Texas Windstorm Insurance Association shall propose to the
24 commissioner of insurance amendments to the association's plan of
25 operation to conform to the changes in law made by this Act.

26 SECTION 5. This Act takes effect September 1, 2025.