

By: Kolkhorst, Middleton

S.B. No. 1238

A BILL TO BE ENTITLED

AN ACT

1
2 relating to prohibited insurance discrimination on the basis of an
3 insured's marital status following the death of the insured's
4 spouse.

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

6 SECTION 1. Section 544.002, Insurance Code, is amended by
7 adding Subsection (d) to read as follows:

8 (d) Notwithstanding Section 544.003, an insurer may not:

9 (1) refuse to continue to insure or provide coverage
10 to an individual or limit the amount, extent, or kind of coverage
11 available to an individual because the individual is widowed or the
12 individual's marital status otherwise reflects the death of a
13 spouse; or

14 (2) charge an individual who is widowed or whose
15 marital status otherwise reflects the death of a spouse a rate that
16 is different from the rate that would be charged if the individual's
17 marital status was married.

18 SECTION 2. The change in law made by this Act does not apply
19 to an insurance policy that is delivered, issued for delivery, or
20 renewed before the effective date of this Act. An insurance policy
21 that is delivered, issued for delivery, or renewed before the
22 effective date of this Act is governed by the law as it existed
23 immediately before the effective date of this Act, and that law is
24 continued in effect for that purpose.

1 SECTION 3. This Act takes effect September 1, 2025.