

1-1 By: Watson S.B. No. 189  
 1-2 (In the Senate - Filed November 24, 2014; January 27, 2015,  
 1-3 read first time and referred to Committee on Business and Commerce;  
 1-4 March 30, 2015, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 7, Nays 1; March 30, 2015,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12		X		
1-13			X	
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 189 By: Taylor of Galveston

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to certain practices in the business of personal  
 1-22 automobile insurance.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 544.552, Insurance Code, is amended to  
 1-25 read as follows:

1-26 Sec. 544.552. APPLICABILITY. This subchapter applies only  
 1-27 to:

1-28 (1) a standard fire, homeowners, or farm and ranch  
 1-29 owners insurance policy; or

1-30 (2) a personal automobile insurance policy, including  
 1-31 a policy written by a county mutual insurance company.

1-32 SECTION 2. Section 551.113(a), Insurance Code, is amended  
 1-33 to read as follows:

1-34 (a) This section applies only to:

1-35 (1) a standard fire, homeowners, or farm and ranch  
 1-36 owners insurance policy; or

1-37 (2) a personal automobile insurance policy.

1-38 SECTION 3. Section 912.002(b), Insurance Code, is amended  
 1-39 to read as follows:

1-40 (b) A county mutual insurance company is subject to:

1-41 (1) Sections 38.001, 401.051, 401.052,  
 1-42 401.054-401.062, 401.151, 401.152, 401.155, 401.156, 501.159,  
 1-43 501.202, 501.203, 822.204, 1806.001, 1806.101, 1806.103(b),  
 1-44 1806.104-1806.107, 1953.051(b), 2002.002, and 2002.005;

1-45 (2) Subchapter A, Chapter 86;

1-46 (3) Subchapter A, Chapter 401;

1-47 (4) the provisions of Subchapter B, Chapter 424, other  
 1-48 than Sections 424.052, 424.072, and 424.073;

1-49 (5) Chapters 221, 251, 252, 254, 541, and 2210; and

1-50 (6) Articles 5.39 and 5.40.

1-51 SECTION 4. Section 1953.051, Insurance Code, is amended to  
 1-52 read as follows:

1-53 Sec. 1953.051. CERTAIN RATING PLANS PROHIBITED. (a) A  
 1-54 rating plan regarding the writing of automobile insurance, other  
 1-55 than insurance written under Chapter 2151, may not:

1-56 (1) assign a rate consequence to a charge or  
 1-57 conviction for a violation of Subtitle C, Title 7, Transportation  
 1-58 Code; or

1-59 (2) otherwise cause premiums for automobile insurance  
 1-60 to be increased because of a charge or conviction described by

2-1 Subdivision (1).

2-2 (b) A rating plan regarding the writing of personal  
2-3 automobile insurance may not:

2-4 (1) assign a rate consequence solely to:

2-5 (A) a consumer inquiry, as defined by Section  
2-6 544.551, made by an applicant or insured; or

2-7 (B) a claim filed by an insured under a personal  
2-8 automobile insurance policy that is not paid or payable under the  
2-9 policy; or

2-10 (2) otherwise cause premiums for personal automobile  
2-11 insurance to be increased solely because of an inquiry or claim  
2-12 described by Subdivision (1).

2-13 SECTION 5. This Act applies only to an insurance policy that  
2-14 is delivered, issued for delivery, or renewed on or after the  
2-15 effective date of this Act. A policy delivered, issued for  
2-16 delivery, or renewed before the effective date of this Act is  
2-17 governed by the law as it existed immediately before the effective  
2-18 date of this Act, and that law is continued in effect for that  
2-19 purpose.

2-20 SECTION 6. This Act takes effect September 1, 2015.

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