

1-1 By: Middleton S.B. No. 455
1-2 (In the Senate - Filed November 21, 2024; February 3, 2025,
1-3 read first time and referred to Committee on Business & Commerce;
1-4 March 31, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 10, Nays 0; March 31, 2025,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
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	X			
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 455 By: Middleton

1-21 A BILL TO BE ENTITLED
1-22 AN ACT

1-23 relating to arbitration provisions in certain surplus lines
1-24 insurance contracts.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 981.101, Insurance Code, is amended by
1-27 adding Subsection (d) to read as follows:

1-28 (d) A surplus lines insurance contract for a risk located
1-29 wholly in this state and that contains an arbitration agreement
1-30 must provide that:

1-31 (1) the arbitration will be:

1-32 (A) conducted in this state unless:

1-33 (i) the insurer and policyholder agree to a
1-34 different venue after the insurer provides written notice to the
1-35 policyholder of the insurer's request for a different venue; and

1-36 (ii) the insurer provides the policyholder
1-37 with a premium credit for the costs incurred by the policyholder as
1-38 a result of the change in venue; and

1-39 (B) governed by the laws of this state; and

1-40 (2) the insurance contract will be interpreted in
1-41 accordance with the laws of this state.

1-42 SECTION 2. Section 981.101(d), Insurance Code, as added by
1-43 this Act, applies only to a surplus lines insurance contract
1-44 delivered, issued for delivery, or renewed on or after January 1,
1-45 2026. A surplus lines insurance contract delivered, issued for
1-46 delivery, or renewed before January 1, 2026, is governed by the law
1-47 as it existed immediately before the effective date of this Act, and
1-48 that law is continued in effect for that purpose.

1-49 SECTION 3. This Act takes effect September 1, 2025.

1-50 * * * * *