

1-1 By: Kolkhorst, Campbell, Middleton S.B. No. 1238
1-2 (In the Senate - Filed February 12, 2025;
1-3 February 28, 2025, read first time and referred to Committee on
1-4 Business & Commerce; April 2, 2025, reported favorably by the
1-5 following vote: Yeas 11, Nays 0; April 2, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Schwertner	X		
1-9	King	X		
1-10	Blanco	X		
1-11	Campbell	X		
1-12	Creighton	X		
1-13	Johnson	X		
1-14	Kolkhorst	X		
1-15	Menéndez	X		
1-16	Middleton	X		
1-17	Nichols	X		
1-18	Zaffirini	X		

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

1-21 relating to prohibited insurance discrimination on the basis of an
1-22 insured's marital status following the death of the insured's
1-23 spouse.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 544.002, Insurance Code, is amended by
1-26 adding Subsection (d) to read as follows:

1-27 (d) Notwithstanding Section 544.003, an insurer may not:

1-28 (1) refuse to continue to insure or provide coverage
1-29 to an individual or limit the amount, extent, or kind of coverage
1-30 available to an individual because the individual is widowed or the
1-31 individual's marital status otherwise reflects the death of a
1-32 spouse; or

1-33 (2) charge an individual who is widowed or whose
1-34 marital status otherwise reflects the death of a spouse a rate that
1-35 is different from the rate that would be charged if the individual's
1-36 marital status was married.

1-37 SECTION 2. The change in law made by this Act does not apply
1-38 to an insurance policy that is delivered, issued for delivery, or
1-39 renewed before the effective date of this Act. An insurance policy
1-40 that is delivered, issued for delivery, or renewed before the
1-41 effective date of this Act is governed by the law as it existed
1-42 immediately before the effective date of this Act, and that law is
1-43 continued in effect for that purpose.

1-44 SECTION 3. This Act takes effect September 1, 2025.

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