

1 AN ACT

2 relating to liability insurance closed claim reports.

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

4 SECTION 1. Section 38.153(a), Insurance Code, is amended to  
5 read as follows:

6 (a) Not later than the 10th day after the last day of the  
7 calendar quarter in which a claim for recovery under a liability  
8 insurance policy is closed, the insurer shall file with the  
9 department a closed claim report if the indemnity payment for  
10 bodily injury under the coverage is \$75,000 [~~\$25,000~~] or more.

11 SECTION 2. Section 38.155(a), Insurance Code, is amended to  
12 read as follows:

13 (a) An insurer shall file with the department a summary  
14 closed claim report for a claim for recovery under a liability  
15 insurance policy if the indemnity payment for bodily injury under  
16 the coverage is less than \$75,000 [~~\$25,000~~] but more than \$25,000  
17 [~~\$10,000~~].

18 SECTION 3. Section 38.157(a), Insurance Code, is amended to  
19 read as follows:

20 (a) An insurer shall file with the department one report  
21 containing the information required under this section for all  
22 claims closed within the calendar year for which the indemnity  
23 payments for bodily injury under the coverage are \$25,000 [~~\$10,000~~]  
24 or less, including claims for which an indemnity payment is not made

1 on closing.

2 SECTION 4. Section 38.158, Insurance Code, is amended to  
3 read as follows:

4 Sec. 38.158. ALTERNATIVE REPORTING. (a) After notice and  
5 public hearing, the commissioner may provide for alternative  
6 reporting in the form of sampling of the required closed claim data  
7 instead of requiring insurers to file the closed claim data  
8 required by this subchapter.

9 (b) The department may use a statistical reporting agency to  
10 reconcile the data.

11 SECTION 5. This Act applies only to a closed claim report  
12 that is filed with the Texas Department of Insurance on or after the  
13 effective date of this Act. A closed claim report that is filed  
14 with the department before the effective date of this Act is  
15 governed by the law as it existed immediately before the effective  
16 date of this Act, and that law is continued in effect for that  
17 purpose.

18 SECTION 6. This Act takes effect September 1, 2009.

H.B. No. 2877

Rand Newkirk

President of the Senate

Jim Strawn

Speaker of the House

I certify that H.B. No. 2877 was passed by the House on April 22, 2009, by the following vote: Yeas 149, Nays 0, 1 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 2877 was passed by the Senate on May 18, 2009, by the following vote: Yeas 31, Nays 0.

Lacey Graw

Secretary of the Senate

APPROVED:

30 MAY '09

Date

RICK PERRY

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
4 PM O'CLOCK

MAY 30 2009

Hope Radtke  
Secretary of State