AN ACT

relating to reporting certain information regarding residential
property and personal automobile insurance and public Internet
access to that information.

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

SECTION 1. Chapter 32, Insurance Code, is amended by adding
Subchapter D to read as follows:

SUBCHAPTER D. INTERNET ACCESS TO CERTAIN INFORMATION

Sec. 32.101. APPLICABILITY OF SUBCHAPTER. This subchapter
applies to insurers who comprise the top 25 insurance groups in the
national market and who issue residential property insurance or
personal automobile insurance policies in this state, including a
Lloyd's plan, a reciprocal or interinsurance exchange, a county
mutual insurance company, a farm mutual insurance company, the
Texas Windstorm Insurance Association, the FAIR Plan Association,
and the Texas Automobile Insurance Plan Association.

Sec. 32.102. INTERNET WEBSITE. (a) The department, in
conjunction with the office of public insurance counsel, shall
establish and maintain a single Internet website that provides
information to enable consumers to make informed decisions relating
to the purchase of residential property insurance and personal
automobile insurance. The website must include:

(1) a description of each type of residential property
insurance policy and personal automobile insurance policy issued in
this state, including a comparison of the coverage, exclusions, and
restrictions of each policy that allows a side-by-side comparison
of the features of the policy forms;

(2) a listing of each insurer writing residential
property insurance or personal automobile insurance in this state,
indexed by each county or zip code in which the insurer is actively
writing that insurance, and a profile of the insurer that includes:
(A) contact information for the insurer,
including the insurer's full name, address, and telephone number
and the insurer's fax number and e-mail address, if available;
(B) information on rates charged by the insurer,
including:
(1) sample rates for different policyholder
profiles in each county or zip code; and
(11) the percentage by which the sample
rate has fallen or risen due to filings in the previous 12, 24, and
36 months;
(C) a list of policy forms, exclusions,
endorsements, and discounts offered by the insurer;
(D) an indication of whether the insurer uses
credit scoring in underwriting, rating, or tiering, and a link to
the insurer's credit model or a link explaining how to request the
insurer's credit model;
(E) the insurer's financial rating determined by
A. M. Best or similar rating organization and an explanation of the
meaning and importance of the rating;
(F) a complaint ratio or similar complaint rating
system for the insurer for each of the previous three years and an
explanation of the meaning of the rating system; and

(G) information, other than information made
confidential by law, on the insurer's regulatory and administrative
experience with the department, the office of public insurance
counsel, and insurance regulatory authorities in other states; and

(3) if feasible, as determined by the commissioner and
the public insurance counsel:

(A) a side-by-side comparison of credit scoring
models, including factors, key variables, and weights, of
residential property insurers in this state; and

(B) a side-by-side comparison of credit scoring
models, including factors, key variables, and weights, of private
passenger automobile insurers in this state.

(b) The Internet website required by this section may link
to and be linked from the department's and the office of public
insurance counsel's main websites, but must have its own Internet
address distinct from the address of those main sites.

(c) The department and the office of public insurance
counsel may include on the Internet website or by link to another
site any other information the department and the office of public
insurance counsel determine is helpful to consumers of residential
property insurance or personal automobile insurance or that the
department or the office of public insurance counsel is authorized
or required to publish under this code that relates to residential
property insurance or personal automobile insurance.

Sec. 32.103. PUBLIC INFORMATION CONCERNING INTERNET
WEBSITE. The department shall publicize the existence of the Internet website required by this subchapter.

Sec. 32.104. DUTIES OF INSURER. (a) On the request of the department, an insurer shall provide to the department any information the department and the office of public insurance counsel determine is reasonable or necessary to fulfill the department's and the office of the public insurance counsel's duties under this subchapter.

(b) An insurer shall provide in a conspicuous manner with each residential property insurance or personal automobile insurance policy issued in this state notice of the Internet website required by this subchapter. The commissioner shall determine the form and content of the notice.

SECTION 2. Section 2251.008, Insurance Code, is amended to read as follows:

Sec. 2251.008. QUARTERLY REPORT OF INSURER; LEGISLATIVE REPORT. (a) The commissioner shall require each insurer subject to this subchapter to quarterly file with the commissioner information relating to changes in losses, premiums, and market share since January 1, 1993. The commissioner may require an insurer subject to this subchapter to report to the commissioner, in the form and in the time required by the commissioner, any other information the commissioner determines is necessary to comply with this section.

(b) Quarterly, the commissioner shall report to the governor, the lieutenant governor, [and] the speaker of the house of representatives, the legislature, and the public regarding:
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(1) the information provided to the commissioner, other than information made confidential by law, in the insurers' reports under Subsection (a); and

(2) market conduct, especially rates and consumer complaints.

(c) The report required by this section must cover a calendar quarter and:

(1) for each insurer that writes a line of insurance subject to this subchapter, must state the insurer's:

(A) market share;

(B) profits and losses;

(C) average loss ratio; and

(D) whether the insurer submitted a rate filing during the quarter covered in the report; and

(2) for each rate filing submitted under Subdivision (1)(D), must indicate any significant impact on policyholders, the overall rate change from the rate previously used by the insurer stated as a percentage, and any rate changes for the previous 12, 24, and 36 months.

(d) Except as provided by Subsection (e), the quarterly report required by this section must be made available to the governor, lieutenant governor, speaker of the house of representatives, legislature, and public not later than the 90th day after the last day of the calendar quarter covered by the report.

(e) If the commissioner determines that it is not feasible to provide the report required by this section within the period
specified by Subsection (d) for all lines of insurance subject to
this subchapter, the department:

(1) shall make the quarterly report, as applicable to
lines of residential property insurance and personal automobile
insurance, available within the period specified by Subsection (d);

and

(2) may delay publication of the quarterly report as
it relates to other lines of insurance subject to this subchapter
until a date specified by the commissioner.

SECTION 3. (a) The Texas Department of Insurance, in
conjunction with the office of public insurance counsel, shall
establish the Internet website required by Subchapter D, Chapter
32, Insurance Code, as added by this Act, not later than September
1, 2008. In establishing the Internet website, the department and
the office may use materials developed or published by the
department or the office before the effective date of this Act.

(b) Section 32.104, Insurance Code, as added by this Act,
applies only to an insurance policy that is delivered, issued for
delivery, or renewed on or after January 1, 2008. A policy that is
delivered, issued for delivery, or renewed before January 1, 2008,
is governed by the law as it existed immediately before the
effective date of this Act, and that law is continued in effect for
that purpose.

SECTION 4. This Act takes effect immediately if it receives
a vote of two-thirds of all the members elected to each house, as
provided by Section 39, Article III, Texas Constitution. If this
Act does not receive the vote necessary for immediate effect, this
Act takes effect September 1, 2007.

I hereby certify that S.B. No. 611 passed the Senate on March 29, 2007, by the following vote: Yeas 30, Nays 0.

I hereby certify that S.B. No. 611 passed the House on May 8, 2007, by the following vote: Yeas 146, Nays 0, two present not voting.

Approved:

21 May 07

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE SECRETARY OF STATE
3:15 P.M. O'CLOCK
MAY 21, 2007
Roger Williams
Secretary of State