



1 (Fair Access to Insurance Requirements) Plan to deliver residential  
2 property insurance to citizens of this state in underserved areas,  
3 which shall be determined and designated by the commissioner by  
4 rule. This subsection expires September 1, 2005.

5 (b) Each insurer, as defined herein, as a condition of its  
6 authority to transact residential property insurance in this state,  
7 shall participate in the FAIR Plan Association in accordance with  
8 this Act.

9 (c) [~~(b)~~] The FAIR Plan may not provide windstorm and hail  
10 insurance coverage for a risk eligible for that coverage under  
11 Article 21.49 of this code.

12 SECTION 2. Subsection (b), Section 6, Article 21.49A,  
13 Insurance Code, is amended to read as follows:

14 (b) Applications may be made on behalf of the applicant by a  
15 licensed general lines property and casualty [~~local recording~~]  
16 agent and shall be submitted on forms prescribed by the  
17 association.

18 SECTION 3. Subsection (b), Section 8, Article 21.49A,  
19 Insurance Code, is amended to read as follows:

20 (b) All orders or decisions of the commissioner made  
21 pursuant to this Act are subject to judicial review in accordance  
22 with Subchapter D, Chapter 36, [~~Article 1.04~~] of this code.

23 SECTION 4. Section 12, Article 21.49A, Insurance Code, is  
24 amended to read as follows:

25 Sec. 12. SANCTIONS. If the association, inspection bureau,  
26 or participating insurer is found to be in violation of or in  
27 failure to comply with this Act, each entity shall be subject to the

1 sanctions authorized in Chapter 82 [~~Article 1.10~~] of this code  
2 and [~~, including~~] administrative penalties authorized under Chapter  
3 84 [~~Article 1.10E~~] of this code. The commissioner may also utilize  
4 any other disciplinary procedures authorized by this code,  
5 including the cease and desist procedures authorized by Chapter 83  
6 [~~Article 1.10A~~] of this code.

7 SECTION 5. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2003.

David Beuhner

President of the Senate

Tom Caddell

Speaker of the House

I hereby certify that S.B. No. 1606 passed the Senate on April 30, 2003, by the following vote: Yeas 31, Nays 0. \_\_\_\_\_

Patricia Sewell  
Secretary of the Senate

I hereby certify that S.B. No. 1606 passed the House on May 23, 2003, by the following vote: Yeas 145, Nays 0, two present not voting. \_\_\_\_\_

Robert Hamey  
Chief Clerk of the House

Approved:

20 JUN '03

Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
9:30 PM O'CLOCK

JUN 20 2003  
Ann Shea  
Secretary of State