

- SUBJECT:** Nonsubstantive recodification of statutes in the Insurance Code
- COMMITTEE:** Insurance — favorable, as amended
- VOTE:** 8 ayes — Smithee, T. Smith, Taylor, Eiland, Hancock, Martinez, Vo, Woolley
- 0 nays
- 1 absent — Thompson
- WITNESSES:** For — (*Registered, but did not testify:* Mike Pollard, Texas Association of Life and Health Insurers)
- Against — None
- On — Angela Alexander, Texas Legislative Council
- BACKGROUND:** Under Government Code, sec. 323.007, the Texas Legislative Council (TLC) must revise Texas statutes periodically to make them more accessible, understandable, and usable without altering their sense, meaning, or effect. As part of this process, the TLC reclassifies and rearranges statutes in a more logical order; employs a numbering system and format that will accommodate future expansion of the law; eliminates repealed, invalid, or duplicative provisions; and improves the draftsmanship of the law.
- The 76th Legislature in 1999 enacted the first installment of the recodification of the new Insurance Code in SB 1467 by Harris, effective September 1, 1999. The 77th Legislature in 2001 enacted the second installment, HB 2811 by Wolens, effective June 1, 2003. The 78th Legislature in 2003 enacted the third installment, HB 2922 by Marchant, effective April 1, 2005. The latest installment, HB 2017 by Swinford, was enacted by the 79th Legislature in 2005, effective April 1, 2007.
- DIGEST:** HB 2636, as amended, would make nonsubstantive additions and conforming changes to the Insurance Code. It would add to the Insurance Code a new Title 20, on regulation of other occupations, and repeal the parts of current law that would be shifted to the new title. It also would

update and correct cross-references to the revised code. These provisions would take effect April 1, 2009.

The bill also would conform the provisions added to the Insurance Code by the 79th Legislature to other statutes enacted by that legislature that amended the previous laws before they were codified, make corrections to the enacted codifications, and renumber titles, chapters, and sections of codes that duplicate title, chapter, and section numbers. Any statute repealed by the bill would not affect a change made to that statute by the 80th Legislature, and any bill enacted by this legislature would control in case of conflict. This provision would take effect September 1, 2007.

**SUPPORTERS
SAY:**

HB 2636 would enact the fifth installment of the recodification of the Insurance Code. This reorganization of existing law is an ongoing project of the Texas Legislative Council. The draft has been extensively reviewed and would make no substantive change in the law. It would comply with the purpose of recodification, which is to make statutory law more accessible, understandable, and usable without altering the sense, meaning, or effect of existing law.

**OPPONENTS
SAY:**

No apparent opposition.

NOTES:

The committee amendment would revise the original version of the bill to conform a portion of the recodification more closely to the source law.

The companion bill, SB 1136 by Brimer, has been referred to the Senate Administration Committee.

A related bill, HB 3167 by Swinford, which would make nonsubstantive conforming corrections for changes in the law enacted by the 79th Legislature, includes the almost same provisions as the Insurance Code conforming article in HB 2636. HB 3167 passed the House by 143-0 on April 12 and has been referred to the Senate Administration Committee.