

## **BILL ANALYSIS**

Senate Research Center

S.B. 1256  
By: Whitmire  
State Affairs  
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As Filed

### **DIGEST**

Currently, title insurance rules, regulations, and rates may be adopted according to the county population or by the average price of a real estate transaction in a certain geographical area. This bill transfers the powers of the Texas State Board of Insurance to the commissioner of insurance.

### **PURPOSE**

As proposed, S.B. 1256 establishes certain rules and regulations adopted by the commissioner of insurance with respect to title insurance.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article 9.21, Insurance Code, as follows:

Art. 9.21. New heading: AUTHORITY OF COMMISSIONER. Provides that the powers and duties previously held by the Texas State Board of Insurance under this section are to be transferred to the commissioner of insurance (commissioner). Requires any company operating under the provisions of this Act to engage in the characters of business described in Subsection (a) or Subsection (b)(1), rather than Subdivisions (1) and (2), Article 9.03, of this code, rather than Act, in a certain manner. Prohibits the commissioner from promulgating or enforcing any rule or regulation that results in discrimination, in the rates or otherwise, to the public or to any title insurance agent or title insurance company.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.