

## **BILL ANALYSIS**

Senate Research Center  
78R422 DLF-D

S.B. 109  
By: Averitt  
Business and Commerce  
2/26/2003  
As Filed

### **DIGEST AND PURPOSE**

Currently residential property insurers are restricted to using either standard policy forms and endorsements that are promulgated by the commissioner of insurance or policy forms and endorsements of national insurers and national organizations of insurers “national forms” that are adopted or approved by the commissioner under Article 5.35 of the Insurance Code. Small insurers may not have access to these national forms. As proposed, S.B. 109 allows a residential property insurer to use any policy form filed with and approved by the commissioner of insurance. This bill expands the groups of forms that may be used and makes it easier for small companies to use non-promulgated forms.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article 5.35(c), Insurance Code, to authorize residential property insurers to use policy forms and endorsements other than those adopted under Subsection (a) or (b) of this article, if the forms or endorsements are filed with and are approved by the commissioner in accordance with this article. Deletes the requirement that the forms are limited to those adopted by a national organization of insurance companies or similar organizations.

SECTION 2. Effective date: upon passage or September 1, 2003.