

BILL ANALYSIS

H.B. 1944
By: Lucio III
Insurance
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the maximum allowable deadline extension for claims and related settlement and dispute resolution under the Texas Windstorm Insurance Association Act, especially with regard to claims arising from more than one storm during the same year. It has been suggested that many Texans needing to file claims under the act would benefit from certain changes to these deadline extensions. H.B. 1944 seeks to make these changes in an effort to ensure that both claimants and the Texas Windstorm Insurance Association have sufficient time to settle claims and resolve disputes.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of insurance in SECTION 1 of this bill.

ANALYSIS

H.B. 1944 amends the Insurance Code to authorize the commissioner of insurance by rule to set the length of a deadline extension relating to claims settlement and dispute resolution under the Texas Windstorm Insurance Association Act. The bill replaces the 120-day cap on the aggregate length of deadline extensions related to claims filed during a particular catastrophe year with a 120-day cap on the aggregate length of the extension of deadlines that apply to the Texas Windstorm Insurance Association (TWIA) only and that relate to claims arising from a particular storm. The cap does not affect the extension of a deadline applicable to a claimant or to both TWIA and a claimant. The bill requires the commissioner to adopt rules necessary to implement deadline extension provisions and excepts these rules from the application of certain Government Code requirements for rules increasing costs to regulated persons.

EFFECTIVE DATE

September 1, 2019.