

By: Davis of Dallas

H.B. No. 2145

A BILL TO BE ENTITLED

AN ACT

relating to premium increase for a collision in which the insured is not at fault under a personal automobile insurance policy.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 1953, Insurance Code, is amended by adding Section 1953.053 to read as follows:

Sec. 1953.053. RATE CONSEQUENCE PROHIBITED. An insurer described by Section 1952.001 or a county mutual insurance company may not assign a rate consequence on, or otherwise cause a premium increase for, an insured's personal automobile insurance policy based on the insured's involvement in an accident:

(1) arising from the insured's operation, maintenance, or use of a motor vehicle covered by the insured's personal automobile insurance policy; and

(2) for which the insured is determined to not be at fault.

SECTION 2. The changes in law made by this Act apply only to a personal automobile insurance policy delivered, issued for delivery, or renewed on or after January 1, 2018. A personal automobile insurance policy delivered, issued for delivery, or renewed before January 1, 2018, is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2017.