

## **BILL ANALYSIS**

H.B. 2437  
By: Phillips  
Insurance  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that an inconsistency between certain provisions of the Insurance Code regarding examination confidentiality exists. H.B. 2437 seeks to provide consistency among statutory provisions relating to examination confidentiality by making examination reports and information obtained during an examination of an insurance carrier privileged for all purposes and not subject to subpoena or discovery, with certain exceptions.

### **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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2437 amends the Insurance Code to make a final or preliminary examination report and any information obtained during an examination of an insurance carrier privileged for all purposes and to establish that such reports and information are not subject to a subpoena, other than a grand jury subpoena, or discovery or admissibility in evidence in a civil action. The bill specifies that provisions relating to the confidential and privileged status of such reports and information do not limit the authority of the commissioner of insurance to use a final or preliminary examination report and any information obtained during an examination in the furtherance of any legal or regulatory action that the commissioner, in the commissioner's sole discretion, considers appropriate.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.