

- SUBJECT:** Revising procedure for denials of coverage by TWIA
- COMMITTEE:** Insurance — committee substitute recommended
- VOTE:** 7 ayes — Lucio, Oliverson, G. Bonnen, S. Davis, Julie Johnson, Lambert, C. Turner
- 1 nay — Paul
- 1 absent — Vo
- WITNESSES:** For — Craig Eiland, Texas Trial Lawyers Association; Ware Wendell, Texas Watch; Tom Furlow; Jay Kenigsberg; Stephanie Kenigsberg (*Registered, but did not testify*: Trace Finley, United Corpus Christi Chamber of Commerce; Jay Kenigsberg; Stephanie Kenigsberg)
- Against — None
- On — Jennifer Armstrong, Texas Windstorm Insurance Association (*Registered, but did not testify*: Marianne Baker and Elisabeth Ret, Texas Department of Insurance; David Durden, Texas Windstorm Insurance Association)
- BACKGROUND:** Insurance Code sec. 2210.573 governs the filing and processing of claims with the Texas Windstorm Insurance Association (TWIA). Sec. 2210.575 provides the procedure for disputes concerning denied coverage.
- DIGEST:** CSHB 2686 would permit a person who filed a claim with the Texas Windstorm Insurance Association (TWIA) that was wholly or partly denied to maintain an action against TWIA concerning the denial regardless of whether TWIA later accepted the previously denied portion of the claim.
- The bill would establish that a claimant could raise as an issue in an action against TWIA whether TWIA's denial of coverage was proper, regardless of whether TWIA later accepted the claim.

The bill would take effect September 1, 2019, and would apply only to claims filed on or after that date.