CHAPTER 399

H.B. No. 1761

AN ACT

relating to the reserve requirements for credit life and credit accident and health insurance.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 425.058(l), Insurance Code, is amended to read as follows:

(1)(1) Notwithstanding any other law, the minimum reserve requirements applicable to a credit life policy issued under Chapter 1153 before January 1, 2009, are met if, in the aggregate, the reserves are maintained at 100 percent of the 1980 Commissioner's Standard Ordinary Mortality Table, with interest that does not exceed 5.5 percent. [This subsection expires September 1, 2013.]

(2) For credit life policy reserves on contracts issued to be effective on or after January 1, 2009, the reserve requirements shall be based on minimum reserve standards established by the commissioner by rule. The commissioner shall adopt the rules based on either:

(A) the 2001 CSO Male Composite Ultimate Mortality Table for male and female insureds; or

(B) another CSO Mortality Table approved by the National Association of Insurance Commissioners on or after January 1, 2009, for use on credit life policy reserves.

(3) For a single premium credit accident and health contract issued on or after January 1, 2009, the reserve requirements shall be based on minimum reserve standards established by the commissioner by rule. The commissioner shall adopt the rules based on either:

(A) the 1985 Commissioners Individual Disability Table A (85CIDA); or

(B) another Commissioner's Disability Table approved by the National Association of Insurance Commissioners on or after January 1, 2009, for use on credit accident and health policy reserves.

(4) For all credit insurance contracts, if the net premium refund liability exceeds the aggregate recorded contract reserve, the insurer shall establish an additional reserve liability that is equal to the excess of the net refund liability over the contract reserve recorded. The net refund liability may include consideration of commission, premium tax, and other expenses recoverable.

(5) In addition to the rules required to be adopted under this subsection, the commissioner may adopt other rules to implement this subsection.

SECTION 2. (a) The change in law made by this Act applies to all credit life and credit accident and health insurance policies issued on or after January 1, 2009.

(b) The commissioner of insurance shall adopt rules as required to implement Section 425.058(l), Insurance Code, as amended by this Act, not later than the 120th day after the effective date of this Act. Until rules are adopted as required by this subsection, insurers shall continue to use the minimum reserve standards under Section 425.058(l), Insurance Code, as that section existed immediately before amendment by this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

Passed by the House on March 26, 2009: Yeas 146, Nays 0, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1761 on May 23, 2009: Yeas 142, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 400

H.B. No. 1783

AN ACT
relating to the Internet broadcasting of Public Utility Commission of Texas and ERCOT public hearings and meetings.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter E, Chapter 12, Utilities Code, is amended by adding Section 12.204 to read as follows:

Sec. 12.204. INTERNET FOR HEARINGS AND MEETINGS. The commission shall make publicly accessible without charge live Internet video of all public hearings and meetings the commission holds for viewing from the Internet website found at http://www.puc.state.tx.us. The commission may recover the costs of administering this section by imposing an assessment against a:

(1) public utility;
(2) corporation described by Section 32.053;
(3) retail electric provider that serves more than 250,000 customers; or
(4) power generation company that owns more than 5,000 megawatts of installed capacity in this state.

SECTION 2. Section 39.1511, Utilities Code, is amended by adding Subsection (c) to read as follows:

(c) The commission shall ensure that an independent organization certified under Section 39.151 makes publicly accessible without charge live Internet video of all public meetings subject to this section for viewing from an Internet website.

SECTION 3. The change in law made by this Act applies to a hearing or meeting held on or after the effective date of this Act. A hearing or meeting held before the effective date of this Act is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2009.

Passed by the House on April 21, 2009: Yeas 142, Nays 0, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 31, Nays 0.


CHAPTER 401

H.B. No. 1785

AN ACT
relating to the licensing of occupational therapists.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 454.204, Occupations Code, is amended to read as follows:

Sec. 454.204. EDUCATIONAL REQUIREMENTS. To satisfy Section 454.203(a)(1):

(1) an applicant applying for an occupational therapist license must have, from a program approved by the Accreditation Council for Occupational Therapy Education, its predecessor organization, or another national credentialing agency approved by the board:

(A) a baccalaureate degree in occupational therapy, if the applicant graduated before January 1, 2007;