and accident insurance company under Subsection (b)(2) [(a-2)] must be reviewed in conjunction with:

1. the company's loss experience;
2. the kinds and nature of risks insured by the company;
3. the company's financial condition and its ownership;
4. the company's proposed method of operation;
5. the company's affiliations;
6. the company's investments;
7. the company's contracts, if any, leading to contingent liability or agreements in respect to guaranty and surety, other than insurance; and
8. the ratio of total annual premium and net investment income to commission expenses, general insurance expenses, policy benefits paid, and required policy reserve increases.

(d) On the applicant's request, the commissioner shall hold a hearing on a denial. Not later than the 30th day after the date of the applicant's request for a hearing, the commissioner shall request a hearing date.

SECTION 19. The following provisions of the Insurance Code are repealed:

1. Section 822.057(c);
2. Section 822.058(a);
3. Section 822.059;
4. Section 841.060;
5. Section 843.081; and
6. Section 882.058(c).

SECTION 20. 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 April 15, 2009: Yeas 147, Nays 0, 1 present, not voting; passed by the Senate on May 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.


CHAPTER 1023

H.B. No. 4311

AN ACT

relating to the naming of certain Texas Department of Transportation property in Val Verde County.

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

SECTION 1. Chapter 201, Transportation Code, is amended by adding Subchapter Y to read as follows:

SUBCHAPTER Y. DEPARTMENT BUILDING NAMES

Sec. 201.2001. HONORABLE HILARY B. DORAN TRANSPORTATION BUILDING. The building in which, on June 1, 2009, is located the office of the area engineer for Val Verde County is designated as the Honorable Hilary B. Doran Transportation Building.

SECTION 2. Subchapter B, Chapter 225, Transportation Code, is amended by adding Section 225.072 to read as follows:

Sec. 225.072. LOOP 79 IN VAL VERDE COUNTY. (a) In recognition of the cooperation between the department and Val Verde County, the designation of Loop 79 in Val Verde County shall be made by the Commissioners Court of Val Verde County.

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(b) The department shall design and construct markers to be placed along Loop 79 in Val Verde County indicating the highway number, the designation of the loop, and any other appropriate information.

(c) The department shall erect a marker at each end of the loop and at intermediate sites along the loop that the department determines are appropriate.

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 April 30, 2009: Yeas 144, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 4311 on May 29, 2009: Yeas 132, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 27, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 1024

H.B. No. 4328

AN ACT
relating to the establishment of the Interagency Literacy Council for the study, promotion, and enhancement of literacy in this state.

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

SECTION 1. Subtitle B, Title 4, Labor Code, is amended by adding Chapter 312 to read as follows:

CHAPTER 312. INTERAGENCY LITERACY COUNCIL

Sec. 312.001. DEFINITION. In this chapter, “council” means the Interagency Literacy Council established under this chapter.

Sec. 312.002. APPLICATION OF SUNSET ACT. The Interagency Literacy Council is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the council is abolished and this chapter expires September 1, 2019.

Sec. 312.003. ESTABLISHMENT AND COMPOSITION. (a) The commission shall establish the Interagency Literacy Council. The council is composed of nine members as follows:

(1) a representative of the commission, appointed by the executive director;
(2) a representative of the Texas Education Agency, appointed by the commissioner of education;
(3) a representative of the Texas Higher Education Coordinating Board, appointed by the commissioner of higher education; and
(4) six public members who are leaders of the business or nonprofit community engaged in literacy promotion efforts, appointed by the executive director of the commission.
(b) The representative appointed under Subsection (a)(1) shall serve as the presiding officer of the council.

Sec. 312.004. COMMISSION DUTIES. The commission shall provide staff and resources as necessary for the operation of the council.

Sec. 312.005. TERMS, VACANCY. (a) Members of the council serve two-year terms, with the terms expiring February 1 of each odd-numbered year.
(b) A member may be reappointed.

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