

AN ACT

relating to confidentiality of reports and related information for a solvency examination of an insurance carrier.

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

SECTION 1. Section 401.058, Insurance Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) A final or preliminary examination report and any information obtained during an examination are confidential and privileged for all purposes. This information is [are] not subject to:

- (1) disclosure under Chapter 552, Government Code;
- (2) a subpoena, other than a grand jury subpoena; or
- (3) discovery or admissibility in evidence in a civil action.

(c) Subsection (a) does not limit the commissioner's authority to use a final or preliminary examination report and any information obtained during an examination in the furtherance of any legal or regulatory action relating to the administration of this code that the commissioner, in the commissioner's sole discretion, considers appropriate.

SECTION 2. 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

H.B. No. 2437

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 2437 was passed by the House on April 25, 2017, by the following vote: Yeas 121, Nays 21, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2437 on May 19, 2017, by the following vote: Yeas 141, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2437 was passed by the Senate, with amendments, on May 15, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor