

1 HB106  
2 197051-2  
3 By Representatives Brown (C), Stringer and Simpson  
4 RFD: Insurance  
5 First Read: 05-MAR-19

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ENROLLED, An Act,

Relating to insurance; to amend Sections 27-2-7 and 27-22-21, Code of Alabama 1975, to authorize the Commissioner of Insurance to create educational and informational programs and presentations for consumers; and to add hurricanes and nonhurricane wind and hail within the list of perils that insurers writing homeowners insurance are required to provide information regarding to the department pursuant to the Property Insurance Clarity Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 27-2-7 and 27-22-21 of the Code of Alabama 1975, are amended to read as follows:

"§27-2-7.

"The commissioner shall:

"(1) Organize, supervise, and administer the Department of Insurance so that ~~it~~ the department will perform its lawful functions efficiently and effectively.

"(2) Enforce the provisions of this title.

"(3) Execute the duties imposed upon him or her by this title.

"(4) Have the powers and authority expressly conferred upon him or her by, or reasonably implied from, ~~the provisions of~~ this title.

1           "(5) Sign and execute in the name of the state, by  
2 "the state Department of Insurance," all contracts or  
3 agreements with the federal government or its agencies, other  
4 states or political subdivisions thereof, political  
5 subdivisions of this state, or with private persons.

6           "(6) Conduct such examinations and investigations of  
7 insurance matters, in addition to examinations and  
8 investigations expressly authorized, as he or she may deem  
9 proper to determine whether any person has violated any  
10 provision of this title or to secure information useful in the  
11 lawful administration of any such provision. The cost of ~~such~~  
12 additional examinations or investigations shall be borne by  
13 the state except as otherwise expressly provided.

14           "(7) Invoke any legal, equitable, or special remedy  
15 for the enforcement of orders or ~~the provisions of~~ this title.

16           "(8) Have such powers and perform such duties as may  
17 be granted to or required of the superintendent of insurance  
18 of this state under laws remaining in force after the  
19 effective date of this title.

20           "(9) Have such additional powers and duties as may  
21 be provided by other laws of this state.

22           "(10) Not issue a license to a natural person under  
23 this title or other law unless the natural person is a United  
24 States citizen or, if not a citizen of the United States, a

1 person who is legally present in the United States with  
2 appropriate documentation from the federal government.

3 "(11) Create educational and informational programs  
4 and presentations for consumers regarding insurance and other  
5 matters regulated by the department.

6 "§27-22-21.

7 "(a) Each insurance company authorized to transact  
8 homeowners insurance business in the State of Alabama shall  
9 annually submit to the ~~Alabama Department of Insurance,~~  
10 ~~commencing on or before October 1, 2013,~~ department for  
11 homeowners insurance policies, computations of the total  
12 amount of direct incurred losses, the number of policies in  
13 force, and the direct earned premiums for the prior calendar  
14 year. The insurance company shall report the computations to  
15 the department by zip code. The information received by the  
16 department shall be aggregated across all insurance companies  
17 collectively and the aggregated totals shall be arranged by  
18 zip code. Homeowners insurance shall also include condominium  
19 insurance, dwelling fire policies, renters/tenants insurance,  
20 and mobile home/manufactured housing property insurance.  
21 Creditor-placed property insurance, condominium association  
22 insurance, and commercial insurance are excluded from this  
23 article.

24 "(b) Based upon the information submitted to or  
25 otherwise gathered by the department, the department shall

1 compile and post on the department website the aggregated  
2 total of the computations provided in subsection (a) by zip  
3 code for the prior calendar year.

4 "(c) Each insurance company authorized to transact  
5 homeowners insurance business in the state shall annually  
6 submit to the department, ~~commencing on or before October 1,~~  
7 ~~2013,~~ computations of the direct incurred losses and the  
8 number of policies in force, by zip code, by calendar year for  
9 the prior calendar year, for each of the following perils:

10 "(1) Fire.

11 "(2) All nonhurricane wind/hail.

12 "(3) Hurricane.

13 "~~(3)~~ (4) All other perils.

14 "(d) Each insurance company authorized to transact  
15 homeowners insurance business in the state shall submit to the  
16 department catastrophe wind/hail information pursuant to a  
17 data call by the department based on a specific catastrophic  
18 event."

19 Section 2. This act shall become effective  
20 immediately following its passage and approval by the  
21 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 02-APR-19.

Jeff Woodard  
Clerk

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Senate

07-MAY-19

Passed