

1 HB132
2 211337-4
3 By Representative Brown (C)
4 RFD: Insurance
5 First Read: 02-FEB-21
6 PFD: 01/26/2021

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2 ENROLLED, An Act,

3 Relating to insurance; to amend Section 27-13-3,
4 Code of Alabama 1975, to specify that certain data and
5 information filed by property and casualty insurers is to be
6 considered confidential as trade secrets and held by the
7 Commissioner of Insurance as separate and distinct from public
8 records.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Section 27-13-3, Code of Alabama 1975, is
11 amended to read as follows:

12 "§27-13-3.

13 "(a) The commissioner ~~shall have authority to~~ may
14 require any regulated insurer engaged in any of the businesses
15 in Alabama as enumerated in this ~~article~~ chapter to file with
16 the department any data or information required or necessary
17 in the performance of the duties of the commissioner, ~~said the~~ the
18 data or information to be filed in ~~such the~~ the manner and on ~~such~~
19 forms as may be prescribed by ~~said the~~ the commissioner.

20 "(b) The records of the commissioner and insurance
21 filings in the commissioner's office submitted in accordance
22 with this chapter shall be open to public inspection, except
23 as otherwise provided by this title or where the records and
24 insurance filings are considered to be confidential as
25 commercially valuable trade secrets under Chapter 27 of Title

1 8. The commissioner may not release the confidential
2 information except by court order. The confidential
3 information shall be submitted under separate cover and
4 clearly state the desires of the party filing the information
5 as to its confidentiality. The confidential information shall
6 be maintained by the commissioner separate and distinct from
7 all records available for public inspection. If the
8 commissioner receives a court order to release the
9 confidential information, the commissioner shall give notice
10 of not less than 10 business days to the party that filed the
11 confidential information before releasing the information."

12 Section 2. This act shall become effective
13 immediately following its passage and approval by the
14 Governor, or its otherwise becoming law.

