

1 HB726  
2 135974-1  
3 By Representatives Gaston, Baker, Faust, Shiver, Bracy,  
4 Mitchell, McMillan, Davis, Sessions, Fincher, Ison, Buskey,  
5 Kennedy and Barton  
6 RFD: Insurance  
7 First Read: 19-APR-12

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8 SYNOPSIS: This bill would require all rate filings and  
9 related actuarial information for homeowner's  
10 insurance coverage in Alabama to be treated as  
11 public information, be available for review in the  
12 office of the Commissioner of Insurance in  
13 Montgomery, Alabama, and be available via the  
14 Internet on the website of the Department of  
15 Insurance and would provide for certain limited  
16 exceptions regarding confidential information.

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18 A BILL  
19 TO BE ENTITLED  
20 AN ACT

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22 Relating to homeowner's policies in Alabama; to  
23 require all rate filings and related actuarial information for  
24 homeowner's insurance coverage to be treated as public  
25 information, available for review in the office of the  
26 Commissioner of Insurance in Montgomery, Alabama, and via the

1 Internet on the website of the Department of Insurance; and to  
2 provide exceptions regarding confidential information.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) Except as limited in subsection (c),  
5 all rate filings and related actuarial information for  
6 homeowner's insurance coverage in Alabama filed after the  
7 effective date of this act shall be treated as public  
8 information.

9 (b) All rate filings and related actuarial  
10 information for homeowner's insurance coverage shall be  
11 available to the public for review at the office of the  
12 Commissioner of Insurance in Montgomery, Alabama, and shall be  
13 available via the Internet through the website of the  
14 Department of Insurance.

15 (c) Any proprietary actuarial risk analysis or  
16 forecasting information or information otherwise restricted by  
17 statute or rule included in a rate filing or related actuarial  
18 information is considered to be a commercially valuable trade  
19 secret under Chapter 27 of Title 8, Code of Alabama 1975, and  
20 shall be confidential. The Department of Insurance, absent a  
21 court order, may not release this confidential information.  
22 Any such information shall be submitted under separate cover  
23 and clearly state the desires of the party filing the  
24 information as to its confidentiality. The information shall  
25 be maintained by the Department of Insurance separate and  
26 distinct from all of the records available for public  
27 inspection. Notice of at least 10 business days shall be given

1 to the applicable entity if such information is requested by  
2 court order from the Department of Insurance.

3 Section 2. This act shall become effective on the  
4 first day of the third month following its passage and  
5 approval by the Governor, or its otherwise becoming law.