

SUBCHAPTER M. FILING REQUIREMENTS
DIVISION 6. RATE AND RATE MANUAL FILING REQUIREMENTS
28 TAC §§5.9330 - 5.9332

1. INTRODUCTION. The commissioner of insurance adopts the repeal of 28 TAC Chapter 5, Subchapter M, Division 6, §§5.9330 - 5.9332, concerning requirements for rate filings. The repeals are adopted without change to the proposal published in the May 9, 2014, issue of the *Texas Register* (39 TexReg 3684). The repeal is related to a separate rule adoption published in this issue of the *Texas Register* of a new Division 6 and amendments to 28 TAC Chapter 5, Subdivision M, Division 4, §5.9310; Division 5, §§5.9320 - 5.9323; Division 7, §§5.9340 - 5.9342; Division 8, §§5.9350 - 5.9352; Division 9, §5.9355 and §5.9357; and Division 10, §5.9360 and §5.9361. Those amendments relate to filing requirements for property and casualty insurers.

2. REASONED JUSTIFICATION. Repeal of §§5.9330 - 5.9332 is necessary to adopt new Division 6, §§5.9330 - 5.9337, which implements the requirements of HB 1951, 82nd Legislature, Regular Session, effective September 1, 2011. The adopted new Division 6 also contains adjustments for clarity and transparency and is compatible with TDI's use of the System for Electronic Rate and Form Filing (SERFF).

3. HOW THE SECTIONS WILL FUNCTION. Adoption of the proposed repeal permits the adoption of new Division 6, §§5.9330 - 5.9337.

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4. SUMMARY OF COMMENTS AND AGENCY RESPONSE. TDI received no comments on the published proposal.

5. STATUTORY AUTHORITY. TDI adopts the repeal under Insurance Code §§2053.003, 2251.101, 3502.108, and 36.001. Section 2053.003 provides that each insurance company writing workers' compensation insurance must file with TDI all rates, supplementary rating information, and reasonable and pertinent supporting information for risks written in Texas. Section 2251.101 provides that the commissioner must adopt rules on the information to be included in rate filings and prescribe the process by which TDI may request supplementary rating information and supporting information. Section 3502.108 provides that the commissioner may adopt rules establishing guidelines by which the forms and documents submitted to TDI under Chapter 3502 are to be reviewed and acted on by TDI. Section 3502.108 also provides that TDI may establish requirements for data and information filed under Chapter 3502. Section 36.001 authorizes the commissioner to adopt any rules necessary and appropriate to implement the powers and duties of TDI under the Insurance Code and other laws of this state.

6. TEXT.

SUBCHAPTER M . FILING REQUIREMENTS

28 TAC §5.9330. Purpose.

28 TAC §5.9331. Definitions.

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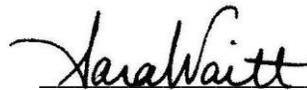
TITLE 28. INSURANCE
Part I. Texas Department of Insurance
Chapter 5. Property and Casualty Insurance

Adopted Sections
Page 3 of 3

28 TAC §5.9332. Filing Requirements.

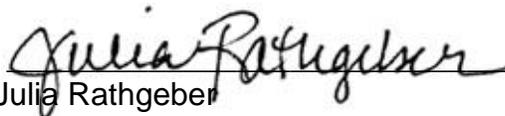
7. CERTIFICATION. This agency certifies that legal counsel has reviewed the adopted repeal and found it to be a valid exercise of the agency's legal authority.

Issued at Austin, Texas, on October 24, 2014.



Sara Waitt
General Counsel
Texas Department of Insurance

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The commissioner adopts the repeal of 28 TAC §§5.9330 – 5.9332.



Julia Rathgeber
Commissioner of Insurance

COMMISSIONER'S ORDER NO. **3603**