

SUBCHAPTER D. FIRE AND ALLIED LINES INSURANCE
DIVISION 5. PREMIUM REDUCTION CERTIFICATE UNDER INSURANCE CODE, ARTICLE 5.33A
28 TAC §5.3401

INTRODUCTION. The Texas Department of Insurance adopts the repeal of 28 TAC Chapter 5, Subchapter D, Division 5, §5.3401, concerning premium reduction certificates under Insurance Code Article 5.33A. The repeal is adopted without changes to the proposal published in the December 18, 2015, issue of the *Texas Register* (40 TexReg 9071).

REASONED JUSTIFICATION. The repeal is necessary because SB 14, 78th Legislature, Regular Session (2003), repealed Article 5.33A, effective June 11, 2003. Former Insurance Code Article 5.33A formed the statutory basis for §5.3401, which adopted the premium reduction certificate by reference, effective October 1, 1982. Article 5.33A required TDI to issue a premium reduction certificate to a homeowner who submitted an inspection report certifying that the homeowner had installed certain safety and security devices. With the passage of SB 14, §5.3401 became an obsolete regulation.

SUMMARY OF COMMENTS. TDI did not receive any comments on the proposed repeal.

STATUTORY AUTHORITY. Former Insurance Code, Article 5.33A formed the statutory basis for §5.3401. Insurance Code §36.001 provides that the commissioner of insurance may adopt any rules necessary and appropriate to implement the powers and duties of TDI under the Insurance Code and other laws of this state.

TEXT.

§5.3401. Prescribed Certificate under the Insurance Code, Article 5.33A.

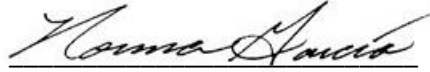
CERTIFICATION. This agency certifies that legal counsel has reviewed the adopted repeal and found it to be a valid exercise of the agency's legal authority.

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

Adopted Section
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Norma Garcia
General Counsel
Texas Department of Insurance

The commissioner adopts the repeal of 28 TAC §5.3401.



David C. Mattax
Commissioner of Insurance

COMMISSIONER'S ORDER NO. 4349