

TEXAS DEPARTMENT OF INSURANCE
NOTICE OF PUBLIC HEARING
PROPOSED CHANGES TO THE TITLE INSURANCE BASIC MANUAL
DOCKET NO. 2841

On September 1, 2023, the Texas Land Title Association (TLTA) filed a petition requesting amendments to the *Basic Manual of Rules, Rates and Forms for the Writing of Title Insurance in the State of Texas* (Basic Manual). The TLTA proposal includes the following:

- Rate increases for assignment of mortgage endorsements, loan modification endorsements, and down date endorsements
- A rate increase for access endorsements
- A revision to the residential owner's policy form
- Revisions to the loan policy aggregation endorsement form
- Revisions to endorsement forms insuring surface damage related to mineral extraction and development
- Revisions to the owner's policy form and the loan policy form to state when survey coverage is not included
- Revisions to the insured closing service letter for lenders
- Amendments to the procedural rule for insuring taxes not yet due and payable
- Repealing the severable improvements endorsement form, replacing it with a series of endorsement forms for electricity-generating facilities, and adding a new rate rule and procedural rule for the new endorsements
- Amendments to the procedural rule for additional insured endorsements
- Amendments to the definition of "residential property" and related revisions to the rate rule for amendment of the area and boundaries exception
- Revisions to the survey affidavit, adding a new form for using an unsworn declaration as an alternative, and a related revision to the procedural rule for amendment of the area and boundaries exception
- A revision to the equity loan mortgage endorsement form
- A rule amendment related to title company signature requirements on endorsements
- Amendments to the procedural rule for issuing revolving credit endorsements and related revisions to the endorsement form and rate rule

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- A request that TDI remove notarization requirements on title licensing forms
- Adding a new endorsement form, rate rule, and procedural rule for insuring surface damage related to mineral extraction and development when a title policy includes an endorsement for electricity generating facilities
- Amendments to the rate rule for simultaneous issuance of owner's policies and loan policies (including certain transactions in which a loan policy is issued within 90 days after an owner's policy)
- An amendment to an escrow check signature rule to allow electronic signatures

In addition, TDI proposes the following:

- An amendment to an escrow check signature rule to allow electronic signatures
- Revisions to the escrow account auditor's opinion letter form
- A revision to the Policy of Title Insurance (USA) form to correct a clerical error
- A revision to the title agent minimum capitalization bond form to update TDI's address
- Revisions to title licensing forms to remove the notarization requirements
- Revisions to the statistical plan to correct the transaction descriptions for refinance transactions and to collect data related to certain new or revised items being proposed by TLTA

The commissioner of insurance will hold a public hearing to consider amendments to the Basic Manual. The hearing will begin at 1:00 p.m., central time, November 15, 2023, in Room 2.029 of the Barbara Jordan Building, 1601 Congress Avenue in Austin, Texas.

The commissioner has jurisdiction over this hearing under Insurance Code §§2703.153, 2703.201, 2703.202, and 2703.203.

You can view the TLTA and TDI proposals at www.tdi.texas.gov/rules/2023/index.html

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You may submit written comments or make oral comments on this rulemaking at the hearing, or you may submit your written comments to TDI on or before 5:00 p.m., central time, on November 15, 2023. Send your comments to ChiefClerk@tdi.texas.gov or to the Office of the Chief Clerk, MC: GC-CCO, Texas Department of Insurance, P.O. Box 12030, Austin, Texas 78711-2030. Please include the docket number on any written or emailed comments.

If you have a disability and need special accommodations to attend:

Email ChiefClerk@tdi.texas.gov or call 512-676-6540 by Wednesday, November 8, 2023, so appropriate arrangements can be made.

Issued in Austin, Texas, on September 6, 2023.

DocuSigned by:
Jessica Barta
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Jessica Barta, General Counsel
Texas Department of Insurance