



MEMORANDUM

DATE: September 20, 2023
TO: Property & Casualty Filings Intake, Texas Department of Insurance
FROM: Cindy Watkins, Manager, Legal & Compliance
RE: Revised TWIA Commercial Declarations Pages

In accordance with Title 28 Texas Administrative Code 5.4911, TWIA is submitting revisions to the TWIA Commercial Declarations Pages (Declarations Pages) for each commercial policy type (Building and Business Personal Property, Condo Building Master, Habitational (Not Condo), Business Property Only, and Builders Risk) for approval.

Reason for Change

TWIA has amended the Declarations Pages as part of its effort to implement provisions of House Bill 3208 passed during the 88th Texas legislative session. Specifically, House Bill 3208 amended Subsections 2210.204(d) and (e) of the Texas Insurance Code and added Subsections 2210.204(d-1), (d-2), and (d-3). Section 2210.204 requires TWIA to retain the entire annual premium on a policy cancelled by the policyholder unless the policy was cancelled due to one of the reasons enumerated in Subsection 2210.204(d). Accordingly, TWIA has amended the Declarations Pages to align with this new statutory requirement.

TWIA has added a “CREDITS AND SURCHARGES” section to the Commercial Declarations Pages for clarity and visibility purposes in the event of an Association surcharge.

In addition to the changes described above, TWIA also made minor revisions to accommodate requests made by agents and policyholders to include “Building Number” and “Unit Number” fields for clarity purposes.



Comparison of Existing and Revised Commercial Pages

Pursuant to Title 28 Texas Administrative Code 5.9321(c)(7) please find below a side-by-side comparison of the existing portions of the TWIA Commercial Declarations Page and the proposed revised language.

Item	Existing Declarations Page Text	New Declarations Page Revised Text
1	Early cancellation may result in approximately 25% of your premium being retained by Texas Windstorm Insurance Association.	Depending on your reason for cancellation, TWIA may be required by law to keep your full annual premium.
2	No pre-existing language to compare, new section being added.	CREDITS AND SURCHARGES
3	No pre-existing language to compare, new data being added.	Building Number & Unit Number