

SUBCHAPTER A. Examination and Financial Analysis **28 TAC §7.84**

1. INTRODUCTION. The Commissioner of Insurance (Commissioner) adopts the repeal of §7.84, concerning the frequency of carrier examinations conducted by the Department of Insurance. The repeal of the section is adopted without changes to the proposal published in the June 25, 2010 issue of the *Texas Register* (35 TexReg 5478).

2. REASONED JUSTIFICATION. The repeal of the section is necessary to permit the simultaneous adoption of a new §7.84 that is published elsewhere in this issue of the *Texas Register*. The new §7.84 is necessary to implement the Insurance Code §401.052 which requires the Department to examine carriers as often as the Department considers necessary, but not less frequently than once every five years. Amended §401.052(b) further directs the Commissioner to adopt rules governing the frequency of examinations of carriers that have been organized or incorporated for less than five years.

3. HOW THE SECTION WILL FUNCTION. The adoption of the repeal will result in the updating of the Texas Administrative Code to remove an obsolete section.

4. SUMMARY OF COMMENTS. The Department did not receive any comments on the published proposal.

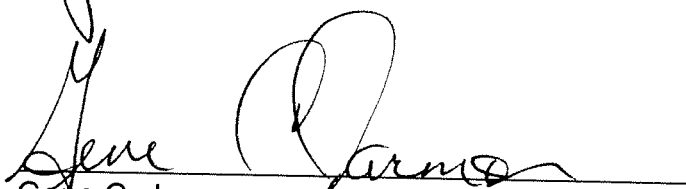
7. STATUTORY AUTHORITY. The repeal of the section is adopted under the Insurance Code §401.052 and §36.001. Section 401.052(a) permits the Department to examine carriers as often as the Department considers necessary, but not less frequently than once every five years, and §401.052(b) requires the Commissioner to adopt rules governing the frequency of examinations of carriers that have been organized or incorporated for less than five years. Section 36.001 authorizes the Commissioner of Insurance to adopt any rules necessary and appropriate to implement the powers and duties of the Texas Department of Insurance under the Insurance Code and other laws of this state.

6. TEXT.

§7.84. Examination Frequency.

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

Issued at Austin, Texas on August 10, 2010.



Gene C. Jarmon
General Counsel and Chief Clerk

10-0724

TITLE 28. INSURANCE
Part I. Texas Department of Insurance
Chapter 7. Corporate and Financial Regulation

Adopted Section
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IT IS THEREFORE THE ORDER of the Commissioner of Insurance that the repeal of §7.84 specified herein, concerning the frequency of carrier examinations conducted by the Department of Insurance, is adopted.

AND IT IS SO ORDERED.



MIKE GEESLIN
COMMISSIONER OF INSURANCE

ATTEST:



Gene C. Jarmon
General Counsel and Chief Clerk

COMMISSIONER'S ORDER NO. 10-0724

AUG 11 2010