

Insurers Are No Longer Required to File Rates and Forms for Certain Commercial Risks in Texas



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On September 1, 2021, Texas SB 1367 went into effect, exempting certain lines of commercial property and casualty insurance from rate and form filings, as summarized below. **In other words, insurers are no longer required to file rates and forms with TDI for certain commercial risks.** Please note, however, if an exempt line is combined with a non-exempt line, rates and forms must still be filed. All other regulatory requirements continue to apply to the newly exempted lines, including cancellation and nonrenewal requirements.

SB 1367 also waives the diligent-effort requirements under Texas Insurance Code Section 981.004(a) for placing surplus lines insurance with respect to the exempted lines.

The new laws apply to policies delivered, issued, or renewed on or after September 1, 2021. You can read the full text of the bill [here](#).

Commercial Lines Exempted

These commercial lines are exempt from rate and form filings (unless combined with a non-exempt line):

- surety bonds;
- fidelity bonds;
- commercial inland marine;
- boiler and machinery;
- environmental impairment or pollution liability;
- kidnap and ransom;
- political risk or expropriation;
- commercial excess liability or umbrella liability;
- directors' and officers' liability;
- fiduciary liability;
- employment practices liability;
- errors and omission and professional liability other than medical professional liability;
- media liability;
- product liability, product recall, or completed operations;
- commercial cybersecurity, including first and third-party commercial lines coverage for losses arising out of or relating to data privacy breaches, network security, computer viruses, and similar exposures;
- highly protected commercial property;
- commercial flood insurance not provided through the National Flood Insurance Program; and

- any combination of the kinds of insurance listed above.