

## CHAPTER 744

## H.B. No. 1861

An Act relating to reduction of homeowners insurance premiums for installation of certain security devices.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Sections 1, 3, 6, 7, 8, and 9, Article 5.33A, Insurance Code, are amended to read as follows:

Sec. 1. **DEFINITIONS.** In this article:

(1) "Commission" [~~"Institute"~~] means the *Commission on Law Enforcement Officer Standards and Education* [~~Texas Crime Prevention Institute~~].

(2) "Inspector" means a person certified by the *commission* [~~institute~~] to be an inspector under this article.

(3) "Board" means the State Board of Insurance.

Sec. 3. **PROCEDURE FOR CERTIFICATION.** (a) A person who desires a premium reduction on homeowners insurance shall apply to the *city or, if the person lives in an unincorporated area, to the county in which the person's home is located* [~~institute~~] for a premium reduction certification inspection. Application for the inspection shall be made in writing and in the form required by the *commission* [~~institute~~].

(b) On receiving an application for an inspection, *any city or county that has determined to participate in the premium reduction program provided by this article* [~~the institute~~] shall assign an inspector to inspect the property to be covered by the applicant's homeowners policy.

(c) The inspector who is assigned by the *city or county* [~~institute~~] shall inspect the property and shall file a written report with the Board stating the inspector's findings and whether or not the property qualifies for a premium reduction.

Sec. 6. **SPECIFICATIONS FOR QUALIFYING FOR A PREMIUM REDUCTION.** (a) A person's property qualifies for a homeowners insurance premium reduction if the property meets the following *minimum* specifications:

(1) exterior doors must be solid core doors that are 1-3/8 inches thick and must be secured by dead-bolt locks;

(2) metal doors must be secured by dead-bolt locks;

(3) double doors must meet the specifications provided by Subdivision (1) of this subsection, must have the inactive door secured by header and threshold bolts that penetrate metal strike plates, and in the case of glass located within 40 inches of header and threshold bolts, must have the bolts flush-mounted in the edge of the door;

(4) sliding glass doors must be secured by secondary locking devices to prevent lifting and prying;

(5) dutch doors must have concealed flush-bolt locking devices to interlock upper and lower halves and must be secured by a dead-bolt lock;

(6) garage doors must be equipped with key-operated locking devices; and

(7) windows must be secured by auxiliary locking devices.

(b) A dead-bolt lock required by Subsection (a) of this section must lock with a minimum bolt throw of one inch that penetrates a metal strike plate. If a door secured by a dead-bolt lock has breakable glass within 40 inches of the lock, the lock must be key-operated from both sides unless prohibited by life safety codes.

(c) An auxiliary locking device required by Subsection (a) of this section must include screws, wooden dowels, pinning devices, and key-operated locks. In areas in which life safety codes permit, metal bars or grating, if mounted to prevent easy removal, may be substituted for auxiliary locking devices.

(d) Jalousie or louvered windows do not meet the specifications of this section unless they have metal grating mounted as provided by Subsection (c) of this section.

(e) *The Board may adopt rules that set standards for alternative specifications to protect a person's property that are at least as effective as those listed in this section. Such alternative specifications shall entitle a person's property meeting such specifications to a similar homeowners premium reduction under this article.*

Sec. 7. DUTIES OF THE COMMISSION [INSTITUTE]. The commission [institute] shall establish standards for [administer] the inspection program under this article, shall adopt rules to carry out the inspection program, and shall certify [and supervise] inspectors who do the inspections. *except such certificate shall be limited to the specification set forth in Section 6 hereof for which the inspector has received instruction under Section 8(b)(3) hereof.*

Sec. 8. INSPECTORS. (a) Before a person may act as an inspector, that person must apply for and receive certification from the commission [institute] and must meet the qualifications stated in Subsection (b) of this section.

(b) To be qualified as an inspector, a person must:

(1) be a *peace officer licensed by the commission [city or county employee];*

(2) be of high moral integrity; and

(3) have a minimum of 20 hours of classroom instruction from the commission [institute] or from an agent of the commission [institute].

(c) ~~A person approved under this section to act as an inspector must register annually with the institute to maintain the certification as an inspector under this article.~~

~~(d)~~ The commission [institute] shall adopt rules and procedures for certification and for registering to maintain certification as an inspector.

(d) *After notice and opportunity for a hearing, the commission [(e) The institute] may revoke [deny] an inspector's certification [annual registration] if it finds [on application for registration] that the inspector has failed or refused to carry out his or her duties in the manner provided by this article and rules adopted by the commission [institute].*

Sec. 9. ASSUMPTION OF POWERS, DUTIES, AND RESPONSIBILITIES BY BOARD. If for any reason the commission [institute] is unable to assume the powers, duties, and responsibilities given to it under this article, the board shall designate a successor to exercise those powers, duties, and responsibilities.

**SECTION 2.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 6, 1985, by the following vote: Yeas 139, Nays 0, 1 present, not voting; passed by the Senate on May 21, 1985, by the following vote: Yeas 31, Nays 0.

Approved: June 14, 1985

Effective: Immediately