

CHAPTER 834

S.B. No. 1128

An Act relating to the compensation, leave, work accounting records, and meetings of the members of the State Board of Insurance; amending Article 1.05, Insurance Code, as amended, by amending Sections (a) and (b) and by adding Section (c).

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

SECTION 1. Section (a), Article 1.05, Insurance Code, as amended, is amended to read as follows:

“(a) Notwithstanding Chapter 633, Acts of the 61st Legislature, Regular Session, 1969, as amended (Article 6252-8a, Vernon’s Texas Civil Statutes), Chapter 298, Acts of the 64th Legislature, Regular Session, 1975, as amended (Article 6252-8b, Vernon’s Texas Civil Statutes),

and provisions relating to payments for accrued or unused annual leave in the General Appropriations Act, members of the State Board of Insurance are state officials and not required to keep time work records and not authorized to accrue vacation and sick leave time as provided for state employees by such acts. ~~[Each of the members of the State Board of Insurance shall, before entering upon the duties of this office, give a bond to the State of Texas, executed by a surety company licensed to do business in the State of Texas, in a sum of Fifty Thousand Dollars (\$50,000.00) to be approved by the Governor, conditioned upon the faithful discharge of the duties of his office.]~~”

SECTION 2. Section (b), Article 1.05, Insurance Code, as amended, is amended to read as follows:

“(b) The compensation to be paid the members of the State Board of Insurance shall be such sums as are provided for by the appropriation bills from time to time. ~~[The members of the State Board of Insurance shall receive an annual salary of not to exceed Twenty Thousand Dollars (\$20,000.00) payable in monthly installments as provided in the General Appropriation Bill.]~~”

SECTION 3. Article 1.05, Insurance Code, as amended, is amended by adding a new Section (c) to read as follows:

“(c) Notwithstanding any other provisions of law, members of the State Board of Insurance may meet in closed session to deliberate and determine any matter respecting an appeal from an order of the Commissioner of Insurance in a contested case; provided, however, all evidence on which such decision is made must be presented to the board in accordance with the open meetings law, Chapter 271, Acts of the 60th Legislature, Regular Session, 1967 (Article 6252-17, Vernon’s Texas Civil Statutes), and the Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon’s Texas Civil Statutes).”

SECTION 3. 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 the Senate on May 9, 1985, by the following vote: Yeas 31, Nays 0; Senate concurred in House amendment on May 27, 1985, by the following vote: Yeas 31, Nays 0; passed the House, with amendment, on May 20, 1985, by the following vote: Yeas 136, Nays 0, three present not voting.

Approved: June 15, 1985

Effective: Immediately