

CHAPTER 66

S.B. No. 412

An Act relating to a solicitor acting as an insurance company agent; amending Article 21.04, Insurance Code.

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

SECTION 1. Article 21.04, Insurance Code, is amended to read as follows:

“Article 21.04. **SOLICITOR DEEMED COMPANY’S AGENT** [~~AGENTS~~]. Any person who *solicits* [~~shall solicit~~] an application for *life, accident, or health* insurance [~~upon the life of another~~] shall, in any controversy between the assured and his beneficiary and the company issuing any policy upon such application *or between the assured and the assured’s dependents and that company*, be regarded as the agent of the company, and not the agent of the insured, but such agent shall not have the power to waive, change or alter any of the terms or conditions of the application or policy.”

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 the Senate on February 26, 1985, by the following vote: Yeas 31, Nays 0;
passed the House on April 17, 1985, by the following vote: Yeas 142, Nays 0, one present not voting.

Approved: May 2, 1985

Effective: Immediately