

1 HB132  
2 209104-1  
3 By Representative Brown (C)  
4 RFD: Insurance  
5 First Read: 02-FEB-21  
6 PFD: 01/26/2021

SYNOPSIS: Under existing law, certain rate filings and related actuarial information for homeowners insurance coverage in the state filed after September 1, 2011, are treated as public information and are available to the public for review at the office of the Commissioner of Insurance and available through the website of the Department of Insurance.

This bill would provide that the rate filings and related actuarial information for all insurance coverage in the state, with certain exceptions, are treated as public information and shall also be publicly available for review.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to insurance; to amend Section 27-1-25, Code of Alabama 1975, to provide that certain rate filings and

1 related actuarial information for insurance coverage in the  
2 state shall be public information and available for public  
3 review under certain conditions.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. Section 27-1-25, Code of Alabama 1975, is  
6 amended to read as follows:

7 "§27-1-25.

8 "(a) Except as limited in subsection (c), all rate  
9 filings and related actuarial information for ~~homeowners~~  
10 insurance coverage in Alabama filed after September 1, 2011,  
11 shall be treated as public information.

12 "(b) All rate filings and related actuarial  
13 information for ~~homeowners~~ insurance coverage shall be  
14 available to the public for review at the office of the  
15 Commissioner of Insurance in Montgomery, Alabama, and shall be  
16 available via the Internet through the website of the  
17 Department of Insurance.

18 "(c) Any proprietary actuarial risk analysis or  
19 forecasting information or information otherwise restricted by  
20 statute or regulation included in a rate filing or related  
21 actuarial information is considered to be a commercially  
22 valuable trade secret under Chapter 27 of Title 8, and shall  
23 be confidential. The department, absent a court order, shall  
24 not release this confidential information. Any such  
25 information shall be submitted under separate cover and  
26 clearly state the desires of the party filing the information  
27 as to its confidentiality. The information shall be maintained

1 by the department separate and distinct from all of the  
2 records available for public inspection. Notice of at least 10  
3 business days shall be given to the applicable entity if such  
4 information is requested by court order from the department."

5 Section 2. This act shall become effective on the  
6 first day of the third month following its passage and  
7 approval by the Governor, or its otherwise becoming law.