

1 HB132
2 211337-3
3 By Representative Brown (C)
4 RFD: Insurance
5 First Read: 02-FEB-21
6 PFD: 01/26/2021

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT

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8 Relating to insurance; to amend Section 27-13-3,
9 Code of Alabama 1975, to specify that certain data and
10 information filed by property and casualty insurers is to be
11 considered confidential as trade secrets and held by the
12 Commissioner of Insurance as separate and distinct from public
13 records.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Section 27-13-3, Code of Alabama 1975, is
16 amended to read as follows:

17 "§27-13-3.

18 "(a) The commissioner ~~shall have authority to~~ may
19 require any regulated insurer engaged in any of the businesses
20 in Alabama as enumerated in this ~~article~~ chapter to file with
21 the department any data or information required or necessary
22 in the performance of the duties of the commissioner, ~~said the~~ the
23 data or information to be filed in ~~such the~~ the manner and on ~~such~~
24 forms as may be prescribed by ~~said the~~ the commissioner.

25 "(b) The records of the commissioner and insurance
26 filings in the commissioner's office submitted in accordance
27 with this chapter shall be open to public inspection, except

1 as otherwise provided by this title or where the records and
2 insurance filings are considered to be confidential as
3 commercially valuable trade secrets under Chapter 27 of Title
4 8. The commissioner may not release the confidential
5 information except by court order. The confidential
6 information shall be submitted under separate cover and
7 clearly state the desires of the party filing the information
8 as to its confidentiality. The confidential information shall
9 be maintained by the commissioner separate and distinct from
10 all records available for public inspection. If the
11 commissioner receives a court order to release the
12 confidential information, the commissioner shall give notice
13 of not less than 10 business days to the party that filed the
14 confidential information before releasing the information."

15 Section 2. This act shall become effective
16 immediately following its passage and approval by the
17 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Insurance 02-FEB-21

Read for the second time and placed
on the calendar with 1 substitute
and..... 11-MAR-21

Read for the third time and passed
as amended..... 16-MAR-21

Yeas 95, Nays 0, Abstains 0

Jeff Woodard
Clerk