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## Smithee again hopes to address wind insurance

By Enrique Rangel  
[enriqu.rangel@morris.com](mailto:enriqu.rangel@morris.com)

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AUSTIN - Bills that are considered priority legislation are usually given a single-digit number. The conventional thinking is that such bills are easy to identify or to remember.

But to borrow from an old Ford Motor Co. commercial, Rep. John Smithee thought he had a better idea. He says House Bill 911 is emergency legislation for the 81<sup>st</sup> Legislature.

The Amarillo Republican's windstorm insurance bill would cause homeowners in hurricane-risk areas to pay higher insurance rates and require them to buy federal flood coverage.

Smithee could not be reached for comment because he was busy filing bills before the Friday deadline, his office said. In an interview earlier in the week he said the windstorm insurance bill would be similar to the one he filed in 2007 that was killed in the Senate the last day of the session.

House Bill 911 is expected to be a high-profile bill this session and is expected to pass. Last month the governor declared windstorm insurance a priority for the 81<sup>st</sup> Legislature.

Besides higher premiums for coastal residents and requiring them to purchase federal flood coverage, HB 911 envisions that the state would lend up to \$1.5 billion from its Rainy Day Fund to pay for insurance claims. The state government is insurer of last resort for homeowners who can't get a policy from a private carrier.

The state insures those homeowners through a fund overseen by the Texas Windstorm Insurance Association and though the value of some of those homes, some of which are vacation homes, exceeds \$1 million, under Smithee's bill the coverage would be capped at \$250,000 per property.

For that reason, although it remains to be seen what response the bill will get from legislators who represent districts along the coast, analysts such as Bill Peacock like it.

"Rep. Smithee's bill does a really good job in addressing short-term needs and also long-term needs," said Peacock, director of the Center for Economic Freedom at the Texas Public Policy Foundation, an Austin-based think-tank. "I think that people who live along the coast won't favor this type of insurance but this is legislation that is needed."

Peacock and other analysts have long argued that the state subsidizes coastal residents who can't get insurance through private carriers because they live in areas that are in a higher risk of windstorm damage.

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Rep. John Smithee



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