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3 HOUSE INSURANCE COMMITTEE SUBSTITUTE FOR HB132
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8 SYNOPSIS: Under existing law, property and casualty
9 insurers are required to file certain data and
10 information with the Commissioner of Insurance to
11 support insurance rate filings.

12 This bill would specify that while the
13 filings are generally public records, certain data
14 and information is to be considered confidential as
15 trade secrets and not available for public
16 inspection.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT
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22 Relating to insurance; to amend Section 27-13-3,
23 Code of Alabama 1975, to specify that certain data and
24 information filed by property and casualty insurers is to be
25 considered confidential as trade secrets and held by the
26 Commissioner of Insurance as separate and distinct from public
27 records.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

4 "§27-13-3.

5 "(a) The commissioner ~~shall have authority to~~ may
6 require any insurer engaged in any of the businesses in
7 Alabama as enumerated in this ~~article~~ chapter to file with the
8 department any data or information required or necessary in
9 the performance of the duties of the commissioner, ~~said the~~ the
10 data or information to be filed in ~~such the~~ the manner and on ~~such~~
11 forms as may be prescribed by ~~said the~~ the commissioner.

12 "(b) The records of the commissioner and insurance
13 filings in the commissioner's office submitted in accordance
14 with this chapter shall be open to public inspection, except
15 as otherwise provided by this title or where the records and
16 insurance filings are considered to be confidential as
17 commercially valuable trade secrets under Chapter 27 of Title
18 8. The commissioner may not release the confidential
19 information except by court order. The confidential
20 information shall be submitted under separate cover and
21 clearly state the desires of the party filing the information
22 as to its confidentiality. The confidential information shall
23 be maintained by the commissioner separate and distinct from
24 all records available for public inspection. If the
25 commissioner receives a court order to release the
26 confidential information, the commissioner shall give notice

1 of not less than 10 business days to the party that filed the
2 confidential information before releasing the information."

3 Section 2. This act shall become effective
4 immediately following its passage and approval by the
5 Governor, or its otherwise becoming law.