

TITLE RULEMAKING 2023 AGENDA ITEMS

Item No.	Proc Rule	Rate Rule	Form	Description
2023-1	P-9b(1); P-9b(2); P-9b(3)	R-11	T-3,T-38	Amends Rate Rule R-11 to more adequately reflect the administrative costs and risks involved with issuing the following endorsements: T-3 (Assignment of Mortgage); T-38 (Partial Release, Release of Additional Collateral, Modification agreement, Reinstatement Agreement, or Release from Personal Liability); T-3 (Down Date for Loan Policy)
2023-2	P-9a (3)	R-15	T-3	Amends Rate Rule R-15 (b) to provide for two separate rates for residential and other property for the T-3 endorsement (Down Date for Owner's Policy)
2023-3	P-54	R-30	T-23,	Amends Rate Rule R-30 for the T-23 endorsement (Access Endorsement) to provide the rate apply to each endorsement as opposed to each policy.
2023-4			T-1R	Housekeeping: Amends Form T-1R Section B, Item 3, to remove an unnecessary parenthetical statement. (The statement says "Applies to the Owner's Policy only", but it's on an Owner's Policy)
2023-5			T-16	Amends Form T-16 (Aggregation Endorsement for multi-state transactions) to conform with national language avoiding confusion currently created in the marketplace.
2023-6			T-19, T-19.1, T-19.2, T-19.3	Amends Forms T-19, T-19.1,T-19.2, and T-19.3 to provide consistent language between the forms and the language in current national ALTA equivalent forms.
2023-7			T-1,T-2	Amends Forms T-1, T-2, by adding "Covered Risk 2(c) is hereby deleted" in Schedule B of each form.
2023-8			T-50	Conforms the current T-50 (Insured Closing Service) with the ALTA equivalent while keeping some additional existing coverages that are not provided in the current ALTA version.
2023-9			P-20	Amends P-20 to correct current problems with the "not yet due and payable" status on property taxes.
2023-10	P-72	R-37	T-54 (NEW T-54, T-54.1, T-55, T-55.1, T-56, T-56.1)	Replaces existing T-54 with 6 new endorsements: Leasehold/Easement Owner's Endorsement; Leasehold/Easement Loan Policy Endorsement; Leasehold Owner's Endorsement; Leasehold Loan Policy Endorsement; Fee Estate Owner's Endorsement; Fee Estate Loan Policy Endorsement. These are specific to Energy Projects and serviceable improvements, similar to the ALTA approach. These new endorsements include a new P-72 and R-37.
2023-11	P-57		T-26	Amends P-57 to include a defined "Estate Planning Vehicle" as a means to name an "additional insured." An Estate Planning Vehicle is a legal entity or trust, or trustee of a trust, established by the insured for the purpose of planning the disposition of that person's estate.
2023-12	P-1.u	R-16		Modifies definition for residential real property.
2023-13	P-2		T-47	Makes changes to clarify form and allows for a declaration.
2023-14			T-42	Deletes a reference to a section of the Texas Constitution which has been amended and is no longer relevant to the form.
2023-16	P-9.b(8)	R-11	T-35	Amends P-9 b.(8), R-11, and T-35 to clarify that the endorsement does not cover "future advances" and is limited to the "revolving credit" in the context of a loan initiated at the time of the policy.

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2023-18	P-50.2	R-29.2	T-19.4	Creates a new T-19.4 to provide coverage for surface damage impacting a Severable Improvement contemplated by the proposed adoption of the new T-54 series. This new coverage includes a new P-50.2 and R-29.2.
2023-19		R-5		Amends R-5.B, .C, and .D to make it clear that the use of a simultaneous issue rate does not preclude the application of another rate rule providing a discount or credit. Also amends R-5.F to lower the threshold for extended simultaneous issue for certain transactions from \$5 million to \$1 million. The amendment additionally clarifies that the rule is limited to commercial transactions and that the original Title Insurance Company used for the owner's policy must be used for the loan policy.
2023-21	Internal Control No.5			TDI is proposing to amend Internal Control No. 5 to allow for electronic signatures on escrow checks. Authorized signatories will be able to sign checks without having to be physically present where they are issued.
2023-22			Exhibit A	The current promulgated form Exhibit A located in The Basic Manual of Rules, Rates and Forms for the Writing of Title Insurance in the State of Texas does not meet these requirements. It has been requested from the accounting industry to update the Exhibit A to help them meet their state requirements.
2023-23			T-11	Insuring form T-11 Policy of Title Insurance (USA) has a clerical error where the last item on a numbered list does not have its corresponding number. This item will only make the nonsubstantive correction to add the missing number.
2023-24	PC-417			Form PC-417 has an out-of-date address that needs to be updated.
2023-25			FINT form series	The above referenced licensing forms have a notary requirement that is unnecessary and burdensome for licensees. The Texas Civil Practice and Remedies Code Section 132.001 allows for an alternative form of a sworn statement that has the same legal effect without requiring notarization. TDI is amending these forms to remove the notary requirement and replace it with an "unsworn declaration" meeting the requirements of Section 132.001. Additionally, some addresses have been updated on the forms.
2023-26		R-8	Statistical Plan	When an update to Rate Rule R-8 was adopted in 2018, it changed the transaction descriptions and corresponding rate rule sections that needed matching codes in the statistical manual. The codes are used to track the percentage of discount applied to policies based on the number of years issued after the original loan policy. The codes currently in the statistical plan were not properly updated. This will correct the transaction description to match those codes.
2023-27		R-11c R-15b R-37 R-29	T-3, T-54, T-55, T-56, T-19.4	TLTA has proposed certain rate changes and new endorsements in this proceeding. The statistical plan should be revised to allow TDI to collect experience data related to those items. TDI must collect data to fulfill its duty to fix and promulgate title insurance premium rates required by Insurance Code Chapter 2703, Subchapter D. The ability to collect experience data related to the rate changes and new endorsements will help TDI fulfill its duty.