

# TEXAS WATCH

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May 18, 2017

*Via hand delivery*

The Honorable Greg Abbott  
Texas State Capitol Building  
1100 Congress, Room 2S.1  
Austin, Texas 78701

Re: Request to veto HB 1774 to protect property rights; 2,400+ petition signatures

Dear Governor Abbott:

Texas Watch is a non-partisan, non-profit citizen advocacy organization that works to protect policyholders. Since 1998, we have fought for the rights of Texans to hold wrongdoers accountable through our civil justice system. The Founders of our nation believed so strongly in this right that they made it part of our Bill of Rights, enshrining it in the 7<sup>th</sup> Amendment. The brave souls who established this great state likewise held the right to trial by jury as sacrosanct, stating in the Texas Declaration of Independence that the government “has failed and refused to secure, on a firm basis, the right of trial by jury, that palladium of civil liberty, and only safe guarantee for the life, liberty, and property of the citizen.”

The Texas Legislature has passed HB 1774, which ultimately fails to secure the right of trial by jury and guarantee the property rights of Texas citizens. This legislation is favored by the insurance industry and its allies, and even a cursory reading of the bill demonstrates why. HB 1774 is a one-sided bill that restricts the liberty of property owners who have suffered nature’s wrath and then endured the second storm of abusive “deny, delay, underpay” insurance tactics. It does nothing to distinguish good claims from bad, meaning it helps the worst insurers the most. This dangerous legislation threatens every property owner in our state.

The bill slashes penalties for property insurers that wrongfully delay claims; artificially forces many insurance cases into federal court, where it takes twice as long to receive justice; and threatens access to justice by adding cost and risk for property owners and their advocates. The net result of the bill is many property owners will have no legal representation while the insurer will have its own private army of attorneys and adjusters at the ready. It is hard enough to require insurance companies to honor their obligations today. HB 1774 only makes it harder, placing even more power in the hands of the insurance industry. Make no mistake, it is a corporate welfare act with government picking winners and losers. Property owners will be ground down into submission by insurers. This is the wrong policy for our state.

If you sign this bill into law, Texas will be blanketed in blue tarps as the insurance industry pays as little as late as possible. Texans do not want this legislation. We enclose the signatures of over 2,400 Texans who oppose this bill, joining scores of businesses and churches that have also voiced their opposition.

We request that you hear their voices, protect Texans’ property rights, and veto HB 1774.

Very respectfully,



Ware V. Wendell  
Executive Director

Encl.