

Agent Bulletin

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New Law Continues WPI-8 Waiver Surcharge Program Without Change

The WPI-8 waiver surcharge program currently allows non-compliant residential structures to be eligible for windstorm coverage with TWIA for a 15% surcharge. Under previous law, the waiver surcharge program would have expired December 31, 2015. However, this year, the 84th Texas Legislature passed Senate Bill (SB) 498 to extend the program indefinitely. As a result, policyholders currently on the waiver surcharge program will remain eligible for the program unless they make new repairs or alterations that [require certification](#). SB 498 became effective May 28, 2015.

[Texas Insurance Code Chapter 2210](#) states that any building constructed, altered, remodeled, enlarged, or repaired on or after January 1, 1988, must meet the windstorm building code construction [requirements](#) for its area in order to be eligible for coverage with TWIA. The following exceptions apply to these rules:

- Properties constructed, altered, remodeled, enlarged, or repaired between 1988 and June 19, 2009, that are not certified, may be eligible with a 15% surcharge
- Applicants whose policies are non-renewed or cancelled by their private market insurer on or after June 19, 2009, and who have a structure missing a required WPI-8(s) for construction, alteration, remodeling, enlargement, repair or an addition after that date, may be eligible; their premium would be based on 110% of the voluntary market rate.

These certification requirements and exceptions were not altered by the passage of SB 498; the new law simply means the exceptions will remain available permanently.

For more information about legislation passed by the 84th Texas Legislature impacting TWIA, please review the recent [TWIA Agent Newswire](#).

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