



Property and Casualty Insurance Legislation

As of February 5, 2009

<i>Issue</i>	<i>Bill Number and Sponsor</i>	<i>References</i>	<i>Status</i>	<i>Description</i>
Low & Moderate Income Homeowners/ Insurance Assistance	HB 229 Braynon		Filed, January 6	Authorizes counties to establish fund for providing no-interest loans to assist low-income & moderate-income homeowners in paying homeowners' insurance premiums; authorizes governing authority of counties to levy surtaxes on building-related permits to finance assistance fund; limits amount families may receive from fund in any year; requires loans to be repaid if homestead is sold or refinanced.
	SB 328 Wilson	Community Affairs; Banking & Insurance; Finance & Tax; Transportation & Economic Development Appropriations; Policy & Steering Committee on Ways & Means	In Community Affairs	
Workers' Compensation	HB 311 P. Taylor		WITHDRAWN	Revises provisions relating to award of attorney's fees; removes provision prohibiting award of attorney's fees under certain conditions; removes provision entitling claimant to recover attorney's fees from carrier or employer under certain conditions; removes provision establishing lien in cases in which claimant is responsible for payment of his or her own attorney's fees.
Property Insurance Rates	HB 351 Legg		Filed, January 14	Requires property insurance companies to consider county ordinances and the Florida Building Code when setting rates.
	SB 742 Fasano	Banking & Insurance; Community Affairs; General Government Appropriations	In Banking & Insurance	
My Safe Florida Home Program	HB 359 Steinberg		Filed, January 14	Authorizes condominium unit owners to apply for My Safe Florida Home Program grants to retrofit their properties; provides additional funding.
	SB 1344 Bennett		Filed, February 5	

Cherry Picking	SB 410 Fasano	Banking & Insurance; Judiciary	In Banking & Insurance	Amends the Unfair Trade Practices Act (s. 626.9541, FS) to require insurers to offer in Florida the same lines of insurance that the insurer offers in another state.
Condominium Insurance	HB 419 Bogdanoff		Filed, January 16	Requires coverage under condominium unit owner's policy to include specified amount of loss assessment coverage; provides notice requirements for certain coverage; requires coverage for certain personal property to be responsibility of condominium unit owner; revises board meeting notice requirements.
	SB 714 Jones	Banking & Insurance; Regulated Industries; General Government Appropriations	In Banking & Insurance	Requires that adequate property insurance be based upon the replacement cost of the property to be insured as determined by an independent appraisal or update of a prior appraisal. Requires that such replacement cost be determined at least once within a specified period.
	SB 880 Fasano	Regulated Industries; Banking & Insurance; Community Affairs; Judiciary	In Regulated Industries	Requires that condominium unit owners' policies issued on or after a specified date include a specified minimum amount of loss-assessment coverage. Deletes provisions relating to the responsibility to provide property insurance for certain improvements or additions. Requires that an association require unit owners to provide evidence of a currently effective personal liability policy.
Cat Fund	HB 437 Rader		Filed, January 19	Creates the Division of the Florida Hurricane Catastrophe Fund within the State Board of Administration; revises provisions requiring SBA to invest specified funds; provides for division assumption of SBA duties with respect to fund; revises membership of Florida Hurricane Catastrophe Fund Finance Corporation; provides for reversion of fund assets upon termination of fund; makes changes to the TICL layer.
Title Insurance	SB 444 Bennett	Banking and Insurance; Judiciary; General Government Appropriations	In Banking & Insurance	Authorizes a title insurance agent or agency to charge a reasonable fee for certain services; prohibits charges for certain services from being set below the cost to provide such services; prohibits a person from knowingly quoting, charging, accepting, collecting, or receiving a premium for title insurance other than the premium approved by the OIR; revises definitions.
Professional Liability	HB 511 O'Toole		Filed, January 20	Revises requirements for reporting professional liability claims to the OIR; revises definitions; requires absence of claims submission reports to be filed under specified circumstances.
Insurance Rates/Carbon Monoxide Detectors and Alarms	HB 513 Gonzalez		Filed, January 20	Requires residential property insurers to give discounts for the installation of carbon monoxide detectors.
	SB 822 Garcia	Banking & Insurance; General Government Appropriations	In Banking & Insurance	

Bodily Injury/Wrongful Death	HB 711 Waldman		Filed, February 3	Prohibits bodily injury policies from including family member exclusions for wrongful death claims.
	SB 1254 Hill		Filed, February 4	
CPIC/Dwelling Fire Policies	HB 715 Jenne		Filed, February 3	Requires CPIC's Plan of Operation to be expanded to require CPIC to offer certain dwelling fire policies.
	SB 1060 Bennett	Banking & Insurance; General Government Appropriations; Policy & Steering Committee on Ways and Means	In Banking & Insurance	
Motor Vehicle Financial Responsibility	HB 735 Fetterman		Filed, February 4	Requires person who has been found guilty of or entered plea of guilty or nolo contendere to felony traffic offense or had mandatory revocation of driving privileges maintain a certain amount of security or insurance for liability coverage of accidents involving use of motor vehicle; requires DHSMV to provide notice to OIR of such persons.
Premium Finance	HB 741 Patterson		Filed, February 5	Clarifies existing law that a discount given for payment of premium in full does not constitute premium financing provided that the discount is actuarially justified and approved by the OIR.
Citizens Property Insurance Corporation Rates	SB 862 Fasano	Banking & Insurance; General Government Appropriations; Policy & Steering Committee on Ways and Means	In Banking & Insurance	Extends the rate freeze on Citizens rates for another year.
Civil Remedies Against CPIC	SB 960 Gaetz	Banking & Insurance; Judiciary; General Government Appropriations	In Banking & Insurance	Authorizes a person to bring a civil action against CPIC in certain situations; prohibits the assessment of punitive damages against CPIC.
Insurance Claims	SB 962 Gaetz	Banking & Insurance; Judiciary	In Banking & Insurance	Provides that it is an unfair claim settlement practice for an insurer to fail to adopt and implement standards for the adjustment of claims.
Fiduciary Duty of Insurers	SB 964 Gaetz	Banking & Insurance; Judiciary; Criminal & Civil Justice Appropriations	In Banking & Insurance	Provides legislative findings under s. 624.155, FS, that insurers have a fiduciary duty to treat their insureds fairly and in good faith.

Public Records Exemption/ Florida Hurricane Protection Program	SB 1046 Fasano	Banking & Insurance; Governmental Oversight & Accountability; Rules	In Banking & Insurance	Creates a public record exemption for certain records of the Florida Hurricane Protection Program of the Florida Hurricane Catastrophe Fund.
Self Insurance Funds/Electric Cooperatives	SB 1138 Gaetz		Filed, February 3	Allows 2 or more electric cooperatives to operate a self insurance fund; provides for criteria and purposes.

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