



**INSURANCE LEGISLATION**

*As of March 27, 2009*

<i>Issue</i>	<i>Bill Number and Sponsor</i>	<i>References</i>	<i>Status</i>	<i>Description</i>
<b>Annuities</b>	<a href="#">HB 141</a> Ford	Insurance, Business & Financial Affairs; Elder & Family Services; General Government; Policy Council	In Insurance, Business & Financial Affairs	Creates the "Florida Senior Annuity Bill of Rights"; provides legislative findings; provides definitions; creates annuity contract protection criteria for senior consumers.
	<a href="#">SB 724</a> Bennett	Banking & Insurance; General Government Appropriations	In Banking & Insurance	
	<a href="#">SB 2520</a> Peaden	Banking & Insurance; General Government Appropriations	In Banking & Insurance	
<b>Low &amp; Moderate Income Homeowners/ Insurance Assistance</b>	<a href="#">HB 229</a> Braynon	Military & Local Affairs; Insurance, Business & Financial Affairs; Economic Development & Community Affairs; Finance & Tax Council	In Military & Local Affairs	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.
	<a href="#">SB 328</a> Wilson	Community Affairs; Banking & Insurance; Finance & Tax; Transportation & Economic Development Appropriations; Ways & Means	In Community Affairs	

<b>Property Insurance Rates</b>	<a href="#">CS/HB 351</a> Legg	Insurance, Business & Financial Affairs (CS, 21 Yeas, 0 Nays); Military & Local Affairs (Favorable, 11 Yeas, 0 Nays); General Government	On General Government agenda for March 31	Requires property insurance companies to consider county ordinances and the Florida Building Code when setting rates.
	<a href="#">CS/SB 742</a> Fasano	Banking & Insurance (CS, 7 Yeas, 0 Nays); Community Affairs (10 Yeas, 0 Nays); General Government Appropriations	In General Government Appropriations	
<b>My Safe Florida Home Program</b>	<a href="#">HB 359</a> Steinberg	Insurance, Business & Financial Affairs; General Government; General Government & Health Care Appropriations	In Insurance, Business & Financial Affairs	Authorizes condominium unit owners to apply for My Safe Florida Home Program grants to retrofit their properties; provides additional funding.
	<a href="#">SB 1344</a> Bennett	Banking & Insurance; Regulated Industries; General Government Appropriations; Ways & Means	In Banking & Insurance	
	<a href="#">SB 2078</a> Justice	Banking and Insurance; Criminal Justice; Governmental Oversight & Accountability; General Government Appropriations	In Banking & Insurance	
<b>Cherry Picking</b>	<a href="#">SB 410</a> 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.

<b>Condominium Insurance</b>	<a href="#"><u>CS/CS/CS/H B 419</u></a> Bogdanoff	Civil Justice & Courts (CS, 6 Yeas, 0 Nays); Insurance, Business & Financial Affairs (CS, 19 Yeas, 0 Nays); Criminal & Civil Justice (CS, 11 Yeas, 1 Nay)	CS by Criminal & Civil Justice (11 Yeas, 1 Nay)	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.
	<a href="#"><u>CS/SB 714</u></a> Jones	Banking & Insurance (Favorable w/1 amendment, 9 Yeas, 0 Nays); Regulated Industries (CS, 8 Yeas, 0 Nays); General Government Appropriations	In General Government Appropriations	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.
	<a href="#"><u>HB 831</u></a> Frishe	Insurance, Business, & Financial Affairs; Civil Justice & Courts; General Government; General Government & Health Care Appropriations	In Insurance, Business, & Financial Affairs	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.
	<a href="#"><u>SB 880</u></a> Fasano	Regulated Industries; Banking & Insurance; Community Affairs; Judiciary	In Regulated Industries	
<b>Cat Fund</b>	<a href="#"><u>HB 437</u></a> Rader	Insurance, Business & Financial Affairs; General Government; Government Operations Appropriations; General Government & Health Care Appropriations	In Insurance, Business, & Financial Affairs	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.

<b>Professional Liability</b>	<a href="#">CS/HB 511</a> O'Toole	Civil Justice & Courts (CS, 9 Yeas, 0 Nays); Insurance, Business & Financial Affairs (Favorable, 19 Yeas, 0 Nays); Criminal & Civil Justice	In Criminal & Civil Justice	Revises requirements for reporting professional liability claims to the OIR; revises definitions; requires absence of claims submission reports to be filed under specified circumstances.
	<a href="#">SB 2252</a> Baker	Banking & Insurance; General Government Appropriations	On Banking & Insurance agenda for April 1	
<b>Insurance Rates/Carbon Monoxide Detectors and Alarms</b>	<a href="#">HB 513</a> Gonzalez	Insurance, Business & Financial Affairs; General Government Council; Government Operations Appropriations; General Government & Health Care Appropriations	In Insurance, Business & Financial Affairs	Requires residential property insurers to give discounts for the installation of carbon monoxide detectors.
	<a href="#">SB 822</a> Garcia	Banking & Insurance; General Government Appropriations	In Banking & Insurance	
<b>Use of Education, Employment or Credit in Rating</b>	<a href="#">HB 683</a> P. Taylor	Insurance, Business & Financial Affairs; General Government; Government Operations; General Government & Health Care Appropriations	In Insurance, Business & Financial Affairs	Prohibits the use of education, employment or credit in the making and use of insurance rates.
	<a href="#">SB 1524</a> Storms	Banking & Insurance; Commerce	In Banking & Insurance	
<b>Bodily Injury/Wrongful Death</b>	<a href="#">HB 711</a> Waldman	Civil Justice & Courts; Insurance, Business & Financial Affairs; Criminal & Civil Justice Council; Policy Council	In Civil Justice & Courts	Prohibits bodily injury policies from including family member exclusions for wrongful death claims.
	<a href="#">SB 1254</a> Hill	Banking & Insurance; Judiciary	In Banking & Insurance	

<b>CPIC/Dwelling Fire Policies</b>	<a href="#">HB 715</a> Jenne	Insurance, Business & Financial Affairs; General Government; Government Operations Appropriations; General Government & Health Care Appropriations	In Insurance, Business & Financial Affairs	Requires CPIC's Plan of Operation to be expanded to require CPIC to offer certain dwelling fire policies.
	<a href="#">SB 1060</a> Bennett	Banking & Insurance; General Government Appropriations; Ways & Means	In Banking & Insurance	
<b>Motor Vehicle Financial Responsibility</b>	<a href="#">CS/HB 735</a> Fetterman	Roads, Bridges & Ports (CS, 14 Yeas, 2 Nays); Economic Dev. & Community Affairs; Transportation & Economic Dev.; Education & Economic Dev. Appropriations	CS by Roads, Bridges & Ports (14 Yeas, 2 Nays)	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.
	<a href="#">SB 1634</a> Gelber	Transportation; Banking & Insurance; Transportation & Economic Development Appropriations	In Transportation	
<b>Premium Finance</b>	<a href="#">HB 741</a> Patterson	Insurance, Business & Financial Affairs (18 Yeas, 0 Nays); General Government Policy Council (16 Yeas, 0 Nays)	Read second time in House, March 26	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.
	<a href="#">SB 1432</a> Storms	Banking & Insurance (9 Yeas, 0 Nays); Finance & Tax (Favorable, 4 Yeas, 0 Nays)	On Senate calendar	

<b>Self Insurance Funds/Electric Cooperatives</b>	<a href="#">CS/HB 845</a> Drake	Insurance, Business, & Financial Affairs (CS, 20 Yeas, 0 Nays); General Government; Finance & Tax	In General Government	Allows 2 or more electric cooperatives to operate a self insurance fund; provides for criteria and purposes.
	<a href="#">CS/SB 1138</a> Gaetz	Banking & Insurance (Favorable w/ 1 amendment, 9 Yeas, 0 Nays); Communications, Energy, & Public Utilities (CS, 7 Yeas, 0 Nays); Higher Education; Ways & Means	In Higher Education	
<b>Surplus Lines Insurance</b>	<a href="#">HB 853</a> Patterson	Insurance, Business, & Financial Affairs (Favorable, 19 Yeas, 0 Nays); General Government	In General Government	Specifies that the provisions of Chapter 627 do not apply to surplus lines insurers; provides for retroactive application.
	<a href="#">SB 1894</a> Bennett	Banking & Insurance (Favorable w/ 1 amendment, 9 Yeas, 0 Nays); Judiciary; Finance & Tax; General Government Appropriations; Ways & Means	On Judiciary agenda for April 1	
<b>Workers' Comp</b>	<a href="#">CS/HB 903</a> Flores	Insurance, Business, & Financial Affairs (19 Yeas, 2 Nays); General Government (CS, 14 Yeas, 4 Nays)	Read second time in House, March 26	Revises current law relating to the award of attorneys fees in an attempt to fix the Murray decision.
	<a href="#">SB 2072</a> Richter	Banking & Insurance (Favorable, 6 Yeas, 3 Nays); Judiciary; General Government Appropriations	On Judiciary agenda for April 1	

<b>Worker's Comp, cont.</b>	<a href="#">HB 1489</a> Rivera	Insurance, Business & Financial Affairs; Civil Justice & Courts; General Government; Policy Council	In Insurance, Business, & Financial Affairs	Decriminalizes the receipt of an attorneys fee that has not been approved by a JCC; limits scope of judge of compensation claims' authority to approve settlement agreements; revises provisions relating to attorney's fees; revises procedures, requirements, and timeframes for mediation, pretrial hearings, and expedited hearings; revises provisions relating to assessment of penalties for maintaining or continuing proceeding frivolously; revises attorney's fee provisions; requires judicial approval of certain fees paid by carrier or employer; deletes limitation on retainer agreements and provisions relating to approval of certain attorney's fees; specifies that nothing in chapter shall impair claimant's right to contract for representation; provides that weeks of certain training and education benefits are in addition to available weeks of temporary total disability benefits for purpose of benefit calculations.
	<a href="#">SB 1918</a> Richter	Banking & Insurance; General Government Appropriations; Ways & Means; Rules	In Banking & Insurance	Workers' compensation insurance shell bill
	<a href="#">SB 2280</a> Gelber	Banking & Insurance; Judiciary; General Government Appropriations; Rules	In Banking & Insurance	Deletes provisions prohibiting payments for services in connection with a workers' comp claim which are not approved by a judge of compensation claims; deletes provisions prohibiting such judge from approving the payment of attorney's fees in excess of certain amounts; provides that Chapter 440 does not impair the right of a claimant to contract with an attorney.

<b>Public Records Exemption/ FIGA</b>	<a href="#">CS/HB 961</a> Wood	Insurance, Business, & Financial Affairs (Favorable, 20 Yeas, 0 Nays); Governmental Affairs (CS, 9 Yeas, 0 Nays); General Government	CS by Governmental Affairs (9 Yeas, 0 Nays)	Exempts certain claims information from public record
	<a href="#">SB 2158</a> Haridopolos	Banking & Insurance (Favorable w/1 amendment, 9 Yeas, 0 Nays); Judiciary; Governmental Oversight & Accountability; Rules	Favorable w/ 1 amendment Banking & Insurance (9 Yeas, 0 Nays)	
<b>Insurance Claims</b>	<a href="#">SB 962</a> 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.
<b>Fiduciary Duty of Insurers</b>	<a href="#">SB 964</a> 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.
<b>Insurance Agents/Sale of Life Insurance and Annuities</b>	<a href="#">HB 981</a> Fitzgerald	Insurance, Business & Financial Affairs; Civil Justice & Courts; General Government; General Government & Health Care Appropriations	In Insurance, Business & Financial Affairs	Prohibits the sale of annuities to certain people; prohibits the family member of a life insurance agent from being the beneficiary of certain life insurance policies; expands the grounds for discretionary refusal, suspension, or revocation of certain insurance licenses.
	<a href="#">CS/CS/SB 1372</a> Bennett	Banking & Insurance (CS, 9 Yeas, 0 Nays); Criminal Justice (CS, 8 Yeas, 0 Nays); Ways & Means	CS by Criminal Justice (8 Yeas, 0 Nays)	

<b>Accident Response Fees</b>	<a href="#">CS/HB 1043</a> N. Thompson	Military & Local Affairs (CS, 9 Yeas, 6 Nays); Insurance, Business & Financial Affairs; Economic Development & Community Affairs; Finance & Tax	CS by Military & Local Affairs (9 Yeas, 6 Nays)	Prohibits counties and municipalities from charging fees or seeking reimbursement for accident response.
	<a href="#">CS/SB 2282</a> Bennett	Banking & Insurance (CS, 6 Yeas, 2 Nays); Community Affairs; Finance & Tax; Ways & Means	On Community Affairs agenda for March 31	
<b>Civil Remedies Against CPIC</b>	<a href="#">HB 1051</a> Domino	Insurance, Business & Financial Affairs; General Government; Finance & Tax; General Government & Health Care Appropriations	In Insurance, Business & Financial Affairs	Authorizes a person to bring a civil action against CPIC in certain situations; prohibits the assessment of punitive damages against CPIC.
	<a href="#">SB 960</a> Gaetz	Banking & Insurance; Judiciary; General Government Appropriations	In Banking & Insurance	
<b>Statewide Wind Pool</b>	<a href="#">HB 1157</a> Bogdanoff	Insurance, Business & Financial; General Government; Government Operations; General Government & Health Care Appropriations	Workshopped in Insurance, Business & Financial Affairs	Makes changes to the Florida Hurricane Catastrophe Fund; implements the statewide wind pool.
	<a href="#">HB 2384</a> Fasano	Banking & Insurance; Finance & Tax; General Government Appropriations; Ways & Means	In Banking & Insurance	

<b>Public Records Exemption/ Florida Hurricane Protection Program</b>	<a href="#">HB 1159</a> Bogdanoff	Insurance, Business & Financial Affairs; General Government; Governmental Affairs	Workshopped by Insurance, Business & Financial Affairs	Creates a public record exemption for certain records of the Florida Hurricane Protection Program of the Florida Hurricane Catastrophe Fund.
	<a href="#">SB 1046</a> Fasano	Banking & Insurance; Governmental Oversight & Accountability; Rules	In Banking & Insurance	
<b>Viatical Settlements</b>	<a href="#">HB 1167</a> Legg	Insurance, Business & Financial Affairs; Civil Justice & Courts; General Government; Government Operations Appropriations	In Insurance, Business & Financial Affairs	Revises law relating to annual statements, increased administrative fines, life expectancy providers, disbursement disclosure requirements, fraudulent acts and prohibited practices, viatical settlement contracts, disclosure of marketing materials, criminal penalties, insurer notification requirements, insurer responsibilities under insurance transfer requests, information maintenance and reporting, and unenforceable contracts, agreements, arrangements, and transactions.  Requires a viatical settlement provider annually to file a statement containing certain information; clarifies grounds for which the OIR may suspend, revoke, deny, or refuse to renew the license of a viatical settlement provider; prohibits a person from performing the functions of a life expectancy provider regarding viatical settlement contracts without first having registered as such a provider.
	<a href="#">SB 1882</a> Fasano	Banking & Insurance; Judiciary; General Government Appropriations	In Banking & Insurance	
	<a href="#">HB 1461</a> Hays	Insurance, Business & Financial Affairs; General Government; Government Operations Appropriations; General Government & Health Care Appropriations	In Insurance, Business & Financial Affairs	
	<a href="#">SB 1924</a> Gaetz	Banking & Insurance; Judiciary; General Government Appropriations	In Banking & Insurance	

<b>Nonassessable Residential Property Insurance</b>	<a href="#">CS/HB 1171</a> Proctor	Insurance, Business & Financial Affairs (CS, 17 Yeas, 0 Nays); General Government; Government Operations Appropriations	CS by Insurance, Business & Financial Affairs (17 Yeas, 0 Nays)	Defines “nonassessable residential property insurance” and “assessable residential property insurance”; exempts “nonassessable residential property insurance” from Cat Fund assessments and CPIC assessments; exempts “nonassessable residential property insurance” from rate regulation.
	<a href="#">SB 2036</a> Bennett	Banking & Insurance; Finance & Tax; General Government Appropriations	In Banking & Insurance	
<b>Public Adjusters</b>	<a href="#">HB 1239</a> Long	Insurance, Business & Financial Affairs; General Government; Policy Council	In Insurance, Business & Financial Affairs	Specifies prohibitions for public adjusters relating to soliciting professional employment; prohibits public adjusters from sending unsolicited written communications under specified circumstances; specifies criteria for such communications; specifies requirements for and prohibitions relating to specified written or electronic communications from public adjusters to prospective clients.
	<a href="#">SB 2676</a> Smith	Banking & Insurance; Judiciary	In Banking & Insurance	
<b>Title Insurance</b>	<a href="#">HB 1267</a> Jenne	Insurance, Business & Financial Affairs; Civil Justice & Courts; General Government; General Government & Health Care Appropriations	In Insurance, Business & Financial Affairs	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.
	<a href="#">SB 444</a> Bennett	Banking & Insurance; Judiciary; General Government Appropriations	In Banking & Insurance	

<b>Citizens Property Insurance Corporation Rates</b>	<a href="#">HB 1273</a> Gonzalez	Insurance, Business & Financial Affairs; General Government; Government Operations Appropriations; General Government & Health Care Appropriations	In Insurance, Business & Financial Affairs	Extends the rate freeze on Citizens rates for another year.
	<a href="#">SB 862</a> Fasano	Banking & Insurance; General Government Appropriations; Ways & Means	In Banking & Insurance	
<b>Motor Vehicle Insurance/ Personal Injury Claims</b>	<a href="#">HB 1281</a> Kriseman	Civil Justice & Courts; Insurance, Business & Financial Affairs; Criminal & Civil Justice; Policy Council	In Civil Justice & Courts	Prohibits settlement of claims for 30 days unless insurer tenders policy limits or the insured has consulted with an attorney.
	<a href="#">SB 2646</a> Deutch	Banking & Insurance; Judiciary; Criminal Justice	In Banking & Insurance	
<b>Motor Vehicle Short Term Rental or Lease Insurance</b>	<a href="#">HB 1289</a> Scionti	Insurance, Business & Financial Affairs; Civil Justice & Courts; Roads, Bridges & Ports; General Government	In Insurance, Business & Financial Affairs	Requires lessees under certain motor vehicle rental or lease agreements to obtain certain liability insurance; specifies minimum insurance requirements for motor vehicles rented or leased for less than single year; prohibits leasing without insurance; authorizes specified lessors to offer and sell short-term motor vehicle rental or lease insurance.
	<a href="#">SB 2622</a> Peaden	Commerce; Banking & Insurance; Judiciary	In Commerce	
<b>CPIC/Assessment Base</b>	<a href="#">HB 1359</a> Eisnaugle	Insurance, Business & Financial Affairs; General Government; Finance & Tax; General Government & Health Care Appropriations	In Insurance, Business & Financial Affairs	Redefines the term “subject lines of business” in reference to the assessment base of Citizens.
	<a href="#">SB 2146</a> Gardiner	Banking & Insurance; Finance & Tax; General Government Appropriations	In Banking & Insurance	

<b>Civil Actions Against Insurers</b>	<a href="#">HB 1463</a> Murzin	Insurance, Business & Financial Affairs; General Government; Civil Justice & Courts; Criminal & Civil Justice	In Insurance, Business & Financial Affairs	Authorizes an insured to bring a civil action against an insurer when the insured is damaged by the commission of certain acts by the insurer; requires the insured and any person demanding settlement to cooperate with the insurer with regard to facilitating the settlement; provides that the insurer is not liable for extra contractual damages for failing to pay the insurer's policy limits under certain circumstances.
	<a href="#">SB 1650</a> Oelrich	Banking & Insurance; Judiciary; General Government Appropriations	In Banking & Insurance	
<b>Insurance</b>	<a href="#">HB 1495</a> Nelson	Insurance, Business & Financial Affairs; General Government; Government Operations Appropriations; General Government & Health Care Appropriations	In Insurance, Business & Financial Affairs	Extends the TICL layer of the Cat Fund until 2015; defines "actuarially sound rate" for purposes of CPIC.
	<a href="#">SB 1820</a> Fasano	Banking & Insurance; General Government Appropriations; Ways & Means	In Banking & Insurance	Provides penalties for incorrectly marking information as trade secret; limits the definition of "casualty insurance"; amends the list of unfair or deceptive acts to include the refusal to insure a risk solely because of the fact the individual owns animals; limits the number of residential property insurance policies that can be nonrenewed in one year to 2% of total policies; requires collateral from policyholder for large deductible workers' compensation policies; makes other changes related to the business of insurance.
<b>Termination of Homeowners Insurance Policies</b>	<a href="#">SB 2118</a> Dean	Banking & Insurance; Commerce; General Government Appropriations	In Banking & Insurance	Requires OIR to provide certain information to the homeowners' insurance policyholder when a policy is cancelled or non renewed.
<b>Insurance Premium Tax Shell Bill</b>	<a href="#">SB 2442</a> Altman	Finance & Tax; Banking & Insurance; Ways & Means; Rules	In Finance & Tax	

<b>Insurance Shell Bills</b>	<a href="#">SB 1944</a> Richter	Banking & Insurance; General Government Appropriations; Ways & Means; Rules	In Banking & Insurance	
	<a href="#">SB 1950</a> Richter	Banking & Insurance; General Government Appropriations; Ways & Means; Rules	On Banking & Insurance agenda for April 1	
	<a href="#">SB 1952</a> Richter	Banking & Insurance; General Government Appropriations; Ways & Means; Rules	In Banking & Insurance	
	<a href="#">SB 1954</a> Richter	Banking & Insurance; General Government Appropriations; Ways & Means; Rules	In Banking & Insurance	
	<a href="#">SB 2182</a> Alexander		Filed, February 25	
	<a href="#">SB 2186</a> Alexander		Filed, February 25	

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