



Insurance Legislation

As of April 1, 2009

<i>Issue</i>	<i>Bill Number and Sponsor</i>	<i>References</i>	<i>Status</i>	<i>Description</i>
Annuities	HB 141 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.
	SB 724 Bennett	Banking & Insurance; General Government Appropriations	In Banking & Insurance	
	SB 2520 Peadar	Banking & Insurance; General Government Appropriations	In Banking & Insurance	
Low & Moderate Income Homeowners/ Insurance Assistance	HB 229 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.
	SB 328 Wilson	Community Affairs; Banking & Insurance; Finance & Tax; Transportation & Economic Development Appropriations; Ways & Means	In Community Affairs	
Sinkhole Ordinances/ Property Insurance Rates	CS/HB 351 Legg	Insurance, Business & Financial Affairs (CS, 21 Yeas, 0 Nays); Military & Local Affairs (Favorable, 11 Yeas, 0 Nays); General Government (Favorable, 17 Yeas, 0 Nays)	On House Calendar	Requires property insurance companies to consider county ordinances and the Florida Building Code when setting rates.

Sinkhole Ordinances/ Property Insurance Rates, cont.	CS/SB 742 Fasano	Banking & Insurance (CS, 7 Yeas, 0 Nays); Community Affairs (Favorable, 10 Yeas, 0 Nays); General Government Appropriations (Favorable, 4 Yeas, 1 Nay)	Favorable by General Government Appropriations (4 Yeas, 1 Nay)	
My Safe Florida Home Program	HB 359 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.
	SB 1344 Bennett	Banking & Insurance; Regulated Industries; General Government Appropriations; Ways & Means	In Banking & Insurance	
	SB 2078 Justice	Banking and Insurance; Criminal Justice; Governmental Oversight & Accountability; General Government Appropriations	On Banking & Insurance agenda for April 6	Revises criteria for mitigation grants; requires the DFS to assign contractors to homeowners; expands the list of improvements for which grants may be used; authorizes an insurer to accept as valid a uniform mitigation verification form signed by specified parties; provides penalties for knowingly submitting a false or fraudulent mitigation form with the intent to receive an undeserved discount; \$25M appropriation.
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	CS/CS/CS/HB 419 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.
	CS/SB 714 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.

	HB 831 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.
	CS/SB 880 Fasano	Regulated Industries (CS, 8 Yeas, 0 Nays); Banking & Insurance; Community Affairs; Judiciary	Committee Substitute by Regulated Industries (8 Yeas, 0 Nays)	
Cat Fund	HB 437 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.
Professional Liability	CS/HB 511 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.
	CS/SB 2252 Baker	Banking & Insurance (CS, 7 Yeas, 0 Nays); General Government Appropriations	Committee Substitute by Banking & Insurance (7 Yeas, 0 Nays)	
Insurance Rates/Carbon Monoxide Detectors and Alarms	HB 513 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.
	SB 822 Garcia	Banking & Insurance; General Government Appropriations	In Banking & Insurance	

Use of Education, Employment or Credit in Rating	HB 683 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.
	SB 1524 Storms	Banking & Insurance; Commerce	In Banking & Insurance	
Bodily Injury/Wrongful Death	HB 711 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.
	SB 1254 Hill	Banking & Insurance; Judiciary	In Banking & Insurance	
CPIC/Dwelling Fire Policies	HB 715 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.
	SB 1060 Bennett	Banking & Insurance; General Government Appropriations; Ways & Means	In Banking & Insurance	
Motor Vehicle Financial Responsibility	CS/HB 735 Fetterman	Roads, Bridges & Ports (CS, 14 Yeas, 2 Nays); Economic Dev. & Community Affairs; Transportation & Economic Dev.; Education & Economic Dev. Appropriations	In Economic Dev. & Community Affairs	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.
	SB 1634 Gelber	Transportation; Banking & Insurance; Transportation & Economic Development Appropriations	On Transportation agenda for April 6	

Premium Finance	HB 741 Patterson	Insurance, Business & Financial Affairs (18 Yeas, 0 Nays); General Government Policy Council (16 Yeas, 0 Nays)	Passed House (118 Yeas, 0 Nays)	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.
	SB 1432 Storms	Banking & Insurance (9 Yeas, 0 Nays); Finance & Tax (Favorable, 4 Yeas, 0 Nays)	Read second time in Senate on April 2	
Self Insurance Funds/Electric Cooperatives	CS/HB 845 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.
	CS/SB 1138 Gaetz	Banking & Insurance (Favorable w/ 1 amendment, 9 Yeas, 0 Nays); Communications, Energy, & Public Utilities (CS, 7 Yeas, 0 Nays); Higher Education; Ways & Means	On Higher Education agenda for April 6	
Surplus Lines Insurance	HB 853 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.
	CS/SB 1894 Bennett	Banking & Insurance (Favorable w/ 1 amendment, 9 Yeas, 0 Nays); Judiciary (CS, 5 Yeas, 4 Nays); Finance & Tax; General Government Appropriations; Ways & Means	Committee Substitute by Judiciary (5 Yeas, 4 Nays)	

Workers' Comp	CS/HB 903 Flores	Insurance, Business, & Financial Affairs (19 Yeas, 2 Nays); General Government (CS, 14 Yeas, 4 Nays)	Passed House, 84 Yeas, 35 Nays	Revises current law relating to the award of attorneys fees in an attempt to fix the Murray decision.
	SB 2072 Richter	Banking & Insurance (Favorable, 6 Yeas, 3 Nays); Judiciary (TP'd); General Government Appropriations	Temporarily postponed in Judiciary	
	HB 1489 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.
	SB 1918 Richter	Banking & Insurance; General Government Appropriations; Ways & Means; Rules	In Banking & Insurance	Workers' compensation insurance shell bill
	SB 2280 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.

Public Records Exemption/ FIGA	CS/HB 961 Wood	Insurance, Business, & Financial Affairs (Favorable, 20 Yeas, 0 Nays); Governmental Affairs (CS, 9 Yeas, 0 Nays); General Government	In General Government	Exempts certain claims information from public record
	SB 2158 Haridopolos	Banking & Insurance (Favorable w/1 amendment, 9 Yeas, 0 Nays); Judiciary (Favorable w/1 amendment, 9 Yeas, 0 Nays); Governmental Oversight & Accountability; Rules	Favorable w/ 1 amendment by Judiciary (9 Yeas, 0 Nays)	
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.
Insurance Agents/Sale of Life Insurance and Annuities	HB 981 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.
	CS/CS/SB 1372 Bennett	Banking & Insurance (CS, 9 Yeas, 0 Nays); Criminal Justice (CS, 8 Yeas, 0 Nays); Ways & Means	In Ways & Means	
Accident Response Fees	CS/HB 1043 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.

	CS/SB 2282 Bennett	Banking & Insurance (CS, 6 Yeas, 2 Nays); Community Affairs (Favorable w/ 2 amendments, 10 Yeas, 0 Nays); Finance & Tax; Ways & Means	In Finance & Tax	
Civil Remedies Against CPIC	HB 1051 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.
	SB 960 Gaetz	Banking & Insurance; Judiciary; General Government Appropriations	In Banking & Insurance	
Statewide Wind Pool	HB 1157 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.
	HB 2384 Fasano	Banking & Insurance; Finance & Tax; General Government Appropriations; Ways & Means	In Banking & Insurance	
Public Records Exemption/ Florida Hurricane Protection Program	HB 1159 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.
	SB 1046 Fasano	Banking & Insurance; Governmental Oversight & Accountability; Rules	In Banking & Insurance	

Viatical Settlements	HB 1167 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.
	SB 1882 Fasano	Banking & Insurance; Judiciary; General Government Appropriations	In Banking & Insurance	
	HB 1461 Hays	Insurance, Business & Financial Affairs; General Government; Government Operations Appropriations; General Government & Health Care Appropriations	In Insurance, Business & Financial Affairs	
	SB 1924 Gaetz	Banking & Insurance; Judiciary; General Government Appropriations	In Banking & Insurance	
Nonassessable Residential Property Insurance	CS/HB 1171 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.
	SB 2036 Bennett	Banking & Insurance; Finance & Tax; General Government Appropriations	On Banking & Insurance agenda for April 6	
Public Adjusters	HB 1239 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.
	SB 2676 Smith	Banking & Insurance; Judiciary	In Banking & Insurance	

Title Insurance	HB 1267 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.
	SB 444 Bennett	Banking & Insurance; Judiciary; General Government Appropriations	On Banking & Insurance agenda for April 6	
Citizens Property Insurance Corporation Rates	HB 1273 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.
	SB 862 Fasano	Banking & Insurance; General Government Appropriations; Ways & Means	In Banking & Insurance	
Motor Vehicle Insurance/ Personal Injury Claims	HB 1281 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.
	SB 2646 Deutch	Banking & Insurance; Judiciary; Criminal Justice	In Banking & Insurance	
Motor Vehicle Short Term Rental or Lease Insurance	HB 1289 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.
	SB 2622 Peaden	Commerce; Banking & Insurance; Judiciary	In Commerce	
CPIC/ Assessment Base	HB 1359 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.
	SB 2146 Gardiner	Banking & Insurance; Finance & Tax; General Government Appropriations	In Banking & Insurance	

Civil Actions Against Insurers	HB 1463 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.
	SB 1650 Oelrich	Banking & Insurance; Judiciary; General Government Appropriations	In Banking & Insurance	
Property Insurance	HB 1495 Nelson	Insurance, Business & Financial Affairs; General Government; Government Operations Appropriations; General Government & Health Care Appropriations	On Insurance, Business & Financial Affairs agenda for April 3	Extends the TICL layer of the Cat Fund until 2015; defines "actuarially sound rate" for purposes of CPIC.
	SB 1950 Richter	Banking & Insurance (TP'd); General Government Appropriations; Ways & Means; Rules	On Banking & Insurance agenda for April 6	
Insurance	SB 1820 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.
Termination of Homeowners Insurance Policies	SB 2118 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.
Insurance Premium Tax Shell Bill	SB 2442 Altman	Finance & Tax; Banking & Insurance; Ways & Means; Rules	In Finance & Tax	

Insurance Shell Bills	SB 1944 Richter	Banking & Insurance; General Government Appropriations; Ways & Means; Rules	In Banking & Insurance	
	SB 1952 Richter	Banking & Insurance; General Government Appropriations; Ways & Means; Rules	In Banking & Insurance	
	SB 1954 Richter	Banking & Insurance; General Government Appropriations; Ways & Means; Rules	In Banking & Insurance	
	SB 2182 Alexander		Filed, February 25	
	SB 2186 Alexander		Filed, February 25	

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