

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

BANKING AND INSURANCE
Senator Simmons, Chair
Senator Clemens, Vice Chair

MEETING DATE: Tuesday, April 2, 2013
TIME: 12:30 —3:30 p.m.
PLACE: *Toni Jennings Committee Room, 110 Senate Office Building*

MEMBERS: Senator Simmons, Chair; Senator Clemens, Vice Chair; Senators Benacquisto, Detert, Diaz de la Portilla, Hays, Lee, Margolis, Montford, Negrón, Richter, and Ring

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 1046 Brandes (Compare CS/H 157, CS/H 509, CS/H 635, H 7125, CS/S 262, S 356, CS/S 1458)	Insurance; Deleting the future repeal of an exemption of medical malpractice insurance premiums from emergency assessments imposed to fund certain obligations, costs, and expenses of the Florida Hurricane Catastrophe Fund and the Florida Hurricane Catastrophe Fund Finance Corporation; authorizing insurers to furnish uniform proof-of-purchase cards in an electronic format for use by insureds to prove the purchase of required insurance coverage when registering a motor vehicle; deleting provisions that require extended periods of prior notice with respect to the nonrenewal, cancellation, or termination of certain insurance policies, etc. BI 03/20/2013 Not Considered BI 04/02/2013 Fav/CS AGG AP	Fav/CS Yeas 12 Nays 0
2	SB 324 Brandes (Similar CS/H 211)	Florida Insurance Guaranty Association; Revising the list of kinds of insurance exempted from the guarantee of payments; revising the duties of the association; authorizing the association to collect regular assessments directly from policyholders; authorizing the association to collect emergency assessments from insurers under certain circumstances, etc. BI 03/20/2013 Temporarily Postponed BI 04/02/2013 Fav/CS CM AFT AP	Fav/CS Yeas 12 Nays 0

Consideration of proposed committee bill:

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3	SPB 7138	Health Insurance; Providing that a provision of the Florida Insurance Code applies unless it conflicts with a provision of the Patient Protection and Affordable Care Act (PPACA); authorizing the Office of Insurance Regulation to review forms and conduct market conduct examinations for compliance with PPACA and to report potential violations to the federal Department of Health and Human Services; providing an exception to the prohibition against an insurer issuing a new policy form after discontinuing the availability of a similar policy form when the form does not comply with PPACA, etc.	Submitted as Committee Bill Yeas 12 Nays 0
4	SB 1262 Hays (Compare H 1055, CS/H 1107, CS/S 1770)	Florida Hurricane Catastrophe Fund; Revising the definitions for "corporation," "covered policy," and "retention"; providing for calculation of an insurer's reimbursement premium and retention under the reimbursement contract; revising coverage levels available under the reimbursement contract; revising aggregate coverage limits; providing for the phase-in of changes to coverage levels and limits; changing the name of the Florida Hurricane Catastrophe Fund Finance Corporation to the State Board of Administration Finance Corporation, etc. BI 03/14/2013 Temporarily Postponed BI 03/20/2013 Temporarily Postponed BI 04/02/2013 Temporarily Postponed AP	Temporarily Postponed
5	SB 836 Simmons (Similar CS/CS/H 821, Compare CS/CS/H 823, Link S 834)	Insurer Solvency; Providing additional calculations for determining whether an insurer has a company action level event; requiring an insurer's annual statement to include an actuarial opinion summary and providing criteria for such summary; protecting a memorandum supporting an insurer's annual actuarial opinion from subpoena, discovery, or admissibility in a civil action; providing for sanctions for persons who violate certain provisions relating to the acquisition of controlling stock, etc. BI 04/02/2013 Fav/CS JU RC	Fav/CS Yeas 11 Nays 0
6	SB 834 Simmons (Similar CS/CS/H 823, Compare CS/CS/H 821, Link CS/S 836)	Public Records/Proprietary Business Information/Office of Insurance Regulation; Creating an exemption from public records requirements for proprietary business information submitted to the Office of Insurance Regulation; defining the term "proprietary business information," etc. BI 04/02/2013 Fav/CS GO RC	Fav/CS Yeas 10 Nays 0

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
7	CS/SB 1172 Judiciary / Simmons (Similar CS/CS/H 229)	Land Trusts; Providing requirements relating to vesting of ownership in a trustee; prohibiting the operation of the statute of uses to execute a land trust or to vest the trust property under certain conditions; prohibiting the operation of the doctrine of merger to execute a land trust or to vest the trust property under certain conditions; providing that a trustee's legal and equitable title to the trust property is separate and distinct from the beneficiary's beneficial interest in the land trust and the trust property; revising and providing scope of the Florida Trust Code, etc. JU 03/12/2013 Fav/CS BI 04/02/2013 Favorable RC	Favorable Yeas 10 Nays 0
8	SB 1612 Clemens (Identical H 1329, Compare CS/H 909)	Citizens Property Insurance Corporation; Deleting a provision that limits the amount that a public adjuster may charge, agree to, or accept as compensation with respect to a claim filed under a policy of the corporation, etc. BI 04/02/2013 Not Considered CA RC	Not Considered
9	SB 242 Hukill (Similar CS/H 383)	Interstate Insurance Product Regulation Compact; Providing for establishment of an Interstate Insurance Product Regulation Commission; specifying the commission as an instrumentality of the compacting states; designating the Commissioner of Insurance Regulation as the representative of this state on the commission; providing for qualified immunity, defense, and indemnification of members, officers, employees, and representatives of the commission; specifying that certain records, data, or information of the commission in possession of the Office of Insurance Regulation is subject to ch. 119, F.S., etc. BI 03/20/2013 Not Considered BI 04/02/2013 Fav/CS GO AGG AP	Fav/CS Yeas 10 Nays 0
10	SB 262 Smith (Compare CS/H 157, CS/H 635, S 1046)	Delivery of Insurance Policies; Providing that an insurance policy may be delivered by electronic means, etc. BI 04/02/2013 Fav/CS CM RC	Fav/CS Yeas 12 Nays 0

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
11	SB 550 Simpson (Compare CS/CS/H 457)	Worthless Checks, Drafts, or Orders of Payment; Permitting recovery of worthless checks, drafts, or orders of payment without the sending of a specified written demand if the payee has a specified notice posted at the point of sale or on an invoice, etc. BI 04/02/2013 Fav/CS CM JU	Fav/CS Yeas 10 Nays 0
12	SB 1622 Richter (Similar CS/H 7093, Compare H 1099, H 7095, S 724, CS/S 1770, S 1850, Link S 1606)	Establishment of a Clearinghouse Diversion Program Within the Citizens Property Insurance Corporation; Authorizing the creation of a clearinghouse diversion program within the corporation for identifying and diverting insurance coverage to private insurers; providing requirements and duties of the corporation, insurers, and agents; providing for an alternative to submitting risks to the corporation, etc. BI 03/20/2013 Not Considered BI 04/02/2013 Not Considered CA	Not Considered
13	SB 1606 Richter (Similar H 7095, S 1850, Compare CS/H 7093, CS/S 1770, Link S 1622)	Public Records/Citizens Property Insurance Corporation; Providing an exemption from public records requirements for all underwriting guidelines, manuals, rating information, and other underwriting criteria or instructions submitted by an insurer to the corporation's policyholder eligibility clearinghouse program which are used to identify and select risks from the program; providing for future review and repeal of the exemption under the Open Government Sunset Review Act, etc. BI 03/20/2013 Not Considered BI 04/02/2013 Not Considered GO RC	Not Considered
Consideration of proposed committee bill:			
14	SPB 7136	Public Records/Inspector General/Citizens Property Insurance Corporation; Providing a public records exemption for the identity of individuals who make certain allegations or provide certain information to the inspector general of Citizens Property Insurance Corporation and for information relating to a resulting investigation; providing for future review and repeal; providing a statement of public necessity, etc.	Submitted as Committee Bill Yeas 12 Nays 0
Consideration of proposed committee bill:			

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15	SPB 7140	Public Records/Citizens Property Insurance Corporation Clearinghouse; Providing an exemption from public records requirements for all underwriting guidelines, manuals, rating information, and other underwriting criteria or instructions submitted by an insurer to the corporation's policyholder eligibility clearinghouse program which are used to identify and select risks from the program; providing for future review and repeal; providing a statement of public necessity, etc.	Submitted as Committee Bill Yeas 12 Nays 0
16	SB 410 Bean (Similar CS/H 217, Compare H 7135)	Money Services Businesses; Authorizing the Financial Services Commission to use a portion of the fees that licensees may charge for the direct costs of verification of payment instruments cashed for certain purposes; requiring licensees engaged in check cashing to submit certain transaction information to the Office of Financial Regulation related to the payment instruments cashed; requiring the office to maintain the transaction information in a centralized database; providing liability protection for licensees relying on database information, etc. BI 04/02/2013 Favorable AGG AP	Favorable Yeas 10 Nays 0
17	SB 1410 Simmons (Similar CS/CS/H 883)	Fire Safety and Prevention; Revising provisions relating to the authority of the State Fire Marshal; revising provisions relating to hearings, investigations, and recordkeeping duties and the authority of the State Fire Marshal; clarifying provisions relating to impersonating the State Fire Marshal, a firefighter, a firesafety inspector, or a volunteer firefighter, for which a criminal penalty is provided; providing penalties for rendering a fire protection system required by statute or by rule inoperative, etc. BI 04/02/2013 Fav/CS CA CJ	Fav/CS Yeas 10 Nays 0

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18	SB 924 Latvala (Similar H 581)	Dentists; Prohibiting a contract between a health insurer and a dentist from requiring the dentist to provide services at a fee set by the insurer under certain circumstances; prohibiting a contract between a prepaid limited health service organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances; prohibiting a contract between a health maintenance organization and a dentist from requiring the dentist to provide services at a fee set by the organization under certain circumstances, etc. HP 03/20/2013 Favorable BI 04/02/2013 Favorable AP RC	Favorable Yeas 11 Nays 0
19	Workshop - Discussion and testimony only on the following (no vote to be taken):		
	Personal Injury Protection		Discussed
Other Related Meeting Documents			
