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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/15/2013	.	
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The Committee on Commerce and Tourism (Detert) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 627.421, Florida Statutes, is amended to
read:

627.421 Delivery of policy.—

(1) Subject to the insurer's requirement as to payment of
premium, every policy shall be mailed or delivered to the
insured or to the person entitled thereto within ~~not later than~~
60 days after the effectuation of coverage.

(2) If ~~In the event~~ the original policy is delivered or is



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13 ~~se~~ required to be delivered to or for deposit with a any vendor,
14 mortgagee, or pledgee of any motor vehicle, and in which policy
15 any interest of the vendee, mortgagor, or pledgor in or with
16 reference to such vehicle is insured, a duplicate of the such
17 policy setting forth the name and address of the insurer,
18 insurance classification of vehicle, type of coverage, limits of
19 liability, premiums for the respective coverages, and duration
20 of the policy, or memorandum thereof containing the same ~~such~~
21 information, shall be delivered by the vendor, mortgagee, or
22 pledgee to each ~~such~~ vendee, mortgagor, or pledgor named in the
23 policy or coming within the group of persons designated in the
24 policy to be so included. If the policy does not provide
25 coverage of legal liability for injury to persons or damage to
26 the property of third parties, a statement of that such fact
27 shall be printed, written, or stamped conspicuously on the face
28 of the such duplicate policy or memorandum. This subsection does
29 not apply to inland marine floater policies.

30 (3) An Any automobile liability or physical damage policy
31 must shall contain on the front page a summary of major
32 coverages, conditions, exclusions, and limitations contained in
33 that policy. ~~Any~~ Such summary must shall state that the issued
34 policy should be referred to for the actual contractual
35 governing provisions. The company may, in lieu of the summary,
36 provide a readable policy.

37 (4) Notwithstanding subsections (1) and (2), property and
38 casualty insurance policies and endorsements that do not contain
39 personally identifiable information may be posted on the
40 insurer's Internet website. If the insurer elects to post
41 insurance policies and endorsements on its website in lieu of



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42 mailing or delivery to insureds, the insurer must comply with
43 the following:

44 (a) Each policy and endorsement must be easily accessible
45 on the insurer's website for as long as the policy and
46 endorsement remain in force.

47 (b) The insurer must archive and make all of its expired
48 policies and endorsements available to an insured on its website
49 for at least 5 years after expiration of the policy and
50 endorsement.

51 (c) Each policy and endorsement must be posted in a manner
52 that enables the insured to print and save the policy and
53 endorsement using a program or application that is widely
54 available on the Internet without charge.

55 (d) When the insurer issues an initial policy or upon
56 renewal, the insurer must notify the insured, in the manner the
57 insurer customarily uses to communicate with the insured, that
58 the insured has the right to request and obtain without charge a
59 paper or electronic copy of the insured's policy and
60 endorsements.

61 (e) On each declarations page issued to the insured, the
62 insurer must clearly identify the exact policy form and
63 endorsement form purchased by the insured.

64 (f) If the insurer changes a policy form or endorsement,
65 the insurer must notify the insured, in the manner the insurer
66 customarily uses to communicate with the insured, that the
67 insured has the right to request and obtain without charge a
68 paper or electronic copy of such form or endorsement.

69 Section 2. This act shall take effect July 1, 2013.

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71 ===== T I T L E A M E N D M E N T =====

72 And the title is amended as follows:

73 Delete everything before the enacting clause

74 and insert:

75 A bill to be entitled

76 An act relating to the delivery of insurance policies;

77 amending s. 627.421, F.S.; authorizing the posting of

78 specified types of insurance policies and endorsements

79 on an insurer's Internet website in lieu of mailing or

80 delivery to the insured if the insurer complies with

81 certain conditions; providing an effective date.