

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED        (Y/N)  
ADOPTED AS AMENDED        (Y/N)  
ADOPTED W/O OBJECTION        (Y/N)  
FAILED TO ADOPT        (Y/N)  
WITHDRAWN        (Y/N)  
OTHER           

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1 Committee/Subcommittee hearing bill: Insurance & Banking  
2 Subcommittee  
3 Representative Fullwood offered the following:  
4

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
7 Section 1. Section 83.491, Florida Statutes, is created to  
8 read:

9 83.491 Insurance requirement.—

10 (1) As to every written residential rental agreement  
11 governed by this part that is entered into or renewed on or  
12 after January 1, 2015:

13 (a) If the rental agreement requires the tenant to obtain  
14 a tenant's policy of insurance covering loss or damage to  
15 personal property, the rental agreement must include a statement  
16 in substantially the following form:

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17 A landlord is generally not liable for loss or damage to  
18 your personal property. This rental agreement requires you  
19 to purchase and maintain a tenant's policy of insurance  
20 covering loss or damage to your personal property from a  
21 company of your choice.

22  
23 (b) If the rental agreement does not require the tenant to  
24 obtain a tenant's policy of insurance covering loss or damage to  
25 personal property, the rental agreement must include a statement  
26 in substantially the following form:

27  
28 A landlord is generally not liable for loss or damage  
29 to your personal property. This rental agreement does  
30 not require you to purchase or maintain a tenant's  
31 policy of insurance. However, you should consider  
32 purchasing a tenant's policy of insurance covering  
33 loss or damage to your personal property from a  
34 company of your choice.

35  
36 (2) The notice required by subsection (1) must be in a  
37 type size equal to or larger than the type in the majority of  
38 the agreement and must be separately initialed by the tenant.

39 (3) An unwritten agreement or an agreement that fails to  
40 include the required notice is presumed not to require a  
41 tenant's policy of insurance.

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42       (4) A tenant does not have a cause of action against a  
43 landlord as a result of a landlord's failure to enforce an  
44 insurance requirement. A person is not deemed a third-party  
45 beneficiary of a requirement to purchase tenant's insurance.

46       Section 2. This act applies to a residential lease  
47 governed by part II of chapter 83, Florida Statutes, that is  
48 entered into on or after the effective date of this act.

49       Section 3. This act shall take effect January 1, 2015.

50  
51  
52       -----  
53                   **T I T L E   A M E N D M E N T**

54       Remove everything before the enacting clause and insert:

55  
56                   A bill to be entitled  
57       An act relating to residential tenant insurance policies;  
58       creating s. 83.491, F.S.; requiring a written residential  
59       rental agreement to include a statement specifying whether  
60       insurance coverage is required; providing a form for such  
61       statement; providing notice requirements; limiting the  
62       scope to written rental agreements; prohibiting a cause of  
63       action relating to a landlord's failure to enforce an  
64       insurance requirement; providing applicability; providing  
65       an effective date.