



304154

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
11/12/2019	.	
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The Committee on Banking and Insurance (Broxson) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 626.9202, Florida Statutes, is created  
to read:

626.9202 Loss run statements for all lines of insurance.-

(1) As used in this section, the term:

(a) "Loss run statement" means a report that contains the  
policy number, the period of coverage, the number of claims, the



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11 paid losses on all claims, and the date of each loss. The term  
12 does not include supporting claim file documentation, including,  
13 but not limited to, copies of claim files, investigation  
14 reports, evaluation statements, insureds' statements, and  
15 documents protected by a common law or statutory privilege.

16 (b) "Provide" means to electronically send a document or to  
17 allow access through an electronic portal to view or generate a  
18 document.

19 (2) Notwithstanding any other law, an insurer shall provide  
20 to an insured within 15 calendar days after receipt of the  
21 insured's written request, either:

22 (a) A loss run statement; or

23 (b) For personal lines of insurance, information on how to  
24 obtain a loss run statement at no charge through a consumer  
25 reporting agency. However, this section does not prohibit an  
26 insured from requesting a loss run statement after receiving  
27 information from a consumer reporting agency.

28 (3) At the time a loss run statement is provided to the  
29 insured, the insurer shall notify the agent of record that the  
30 loss run statement was provided to the insured.

31 (4) A loss run statement provided pursuant to this section  
32 must contain a claims history with the insurer for the preceding  
33 5 years or, if the claims history is less than 5 years, a  
34 complete claims history with the insurer.

35 (5) Notwithstanding any other provision of this section, an  
36 insurer is not required to provide loss reserve information.

37 (6) Notwithstanding any other law, an insurer may not  
38 charge any fee to prepare and provide annually one loss run  
39 statement in accordance with this section.



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40 Section 2. Section 627.444, Florida Statutes, is created to  
41 read:

42 627.444 Loss run statements for all lines of insurance.—

43 (1) As used in this section, the term:

44 (a) "Loss run statement" means a report that contains the  
45 policy number, the period of coverage, the number of claims, the  
46 paid losses on all claims, and the date of each loss. The term  
47 does not include supporting claim file documentation, including,  
48 but not limited to, copies of claim files, investigation  
49 reports, evaluation statements, insureds' statements, and  
50 documents protected by a common law or statutory privilege.

51 (b) "Provide" means to electronically send a document or to  
52 allow access through an electronic portal to view or generate a  
53 document.

54 (2) Notwithstanding any other law, an insurer shall provide  
55 to an insured within 15 calendar days after receipt of the  
56 insured's written request, either:

57 (a) A loss run statement; or

58 (b) For personal lines of insurance, information on how to  
59 obtain a loss run statement at no charge through a consumer  
60 reporting agency. However, this section does not prohibit an  
61 insured from requesting a loss run statement after receiving  
62 information from a consumer reporting agency.

63 (3) At the time a loss run statement is provided to the  
64 insured, the insurer shall notify the agent of record that the  
65 loss run statement was provided to the insured.

66 (4) A loss run statement provided pursuant to this section  
67 must contain a claims history with the insurer for the preceding  
68 5 years or, if the claims history is less than 5 years, a



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69 complete claims history with the insurer.

70 (5) Notwithstanding any other provision of this section, an  
71 insurer is not required to provide loss reserve information.

72 (6) Notwithstanding any other law, an insurer may not  
73 charge any fee to prepare and provide annually one loss run  
74 statement in accordance with this section.

75 Section 3. This act shall take effect January 1, 2021.

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

78 And the title is amended as follows:

79 Delete everything before the enacting clause  
80 and insert:

81 A bill to be entitled  
82 An act relating to insurance claims data; creating ss.  
83 626.9202 and 627.444, F.S.; defining the terms "loss  
84 run statement" and "provide"; requiring surplus lines  
85 and authorized insurers, respectively, to provide  
86 insureds either a loss run statement or certain  
87 information within a certain timeframe after receipt  
88 of the insured's written request; providing  
89 construction; requiring insurers to provide notice to  
90 the agent of record after providing a loss run  
91 statement; specifying the required claims history in a  
92 loss run statement; providing that insurers are not  
93 required to provide loss reserve information;  
94 prohibiting insurers from charging a fee to prepare  
95 and provide one loss run statement annually; providing  
96 an effective date.