

THE FLORIDA SENATE
2015 SUMMARY OF LEGISLATION PASSED
Committee on Banking and Insurance

CS/CS/CS/HB 165 — Property and Casualty Insurance

by Regulatory Affairs Committee; Government Operations Appropriations Subcommittee; Insurance and Banking Subcommittee; and Rep. Santiago (CS/CS/SB 258 by Appropriations Committee; Banking and Insurance Committee; and Senator Brandes)

The bill makes the following changes to statutes relating to property and casualty insurance:

- Limits the requirement that the chief executive officer or chief financial officer and the chief actuary of a property insurer must certify a rate filing to full property insurance rate filings. Most commercial nonresidential property insurers are not statutorily required to make full rate filings, and thus will no longer have to complete certifications.
- Current law requires the Office of Insurance Regulation (OIR) to consider projected hurricane losses using a model or method found reliable by the Florida Commission on Hurricane Loss Methodology when reviewing a rate filing. This bill increases from 60 days to 120 days the time an insurer is not required to use the newest version of an approved hurricane model.
- Clarifies that commercial property insurance and commercial casualty insurance, other than commercial residential multiperil insurance, is exempt from the requirement to make an annual base rate filing with the OIR.
- Establishes a uniform 120-day advance written notice of nonrenewal, cancellation, or termination for personal and commercial lines residential property insurance policies.
- Clarifies that an insurer has to notify a policyholder of the availability of neutral evaluation of a sinkhole claim only if there is coverage available under the policy and the claim was submitted within the statutory timeframe.
- Amends a provision in the personal injury protection statute to resolve an ambiguity relating to the applicability of medical fee schedules.
- Creates exemptions to the preinsurance inspection requirements for private passenger automobiles.
- Repeals a prohibition against using the existence of the Florida Insurance Guaranty Association (FIGA) for the purpose of sales, solicitation, or inducement to purchase insurance. Such solicitations are required to explain the coverage limits of FIGA which apply to the type of insurance described in the advertisement or solicitation.

The bill has no fiscal impact.

If approved by the Governor, these provisions take effect July 1, 2015.

Vote: Senate 38-1; House 117-0