

THE FLORIDA SENATE
2017 SUMMARY OF LEGISLATION PASSED
Committee on Banking and Insurance

CS/CS/HB 813 — Flood Insurance

by Commerce Committee; Insurance and Banking Subcommittee; and Rep. Lee (CS/CS/SB 420
by Community Affairs Committee; Banking and Insurance Committee; and Senator Brandes)

The bill extends to October 1, 2025, existing law that allows insurers offering private market flood insurance under s. 627.715, F.S., to make rate filings that are not required to be reviewed by the Office of Insurance Regulation (OIR) before implementation of the rate (“file and use” review) or shortly after implementation of the rate (“use and file” review). The bill generally applies s. 627.715, F.S., to excess flood insurance.

Excess coverage is exempted from the requirement of s. 627.715(1), F.S., to offer flood insurance on a standard, preferred, customized, flexible, or supplemental basis.

Until July 1, 2019, or upon the OIR commissioner determining there is an adequate admitted market, the bill allows flood policies to be placed with a surplus lines insurer without the agent first receiving one declination from an admitted insurer. If there are fewer than three admitted insurers after July 1, 2019, the number of declination shall equal the number of authorized insurers providing flood coverage.

The bill increases the interval for the Florida Commission on Hurricane Loss Projection Methodology to revise the criteria used in calculating flood loss projection models to 4 years. Lastly, the bill requires an insured currently covered under the National Flood Insurance Program (NFIP) to sign an acknowledgement before being placed with a private insurers informing them of the risk of being charged a higher rate should they choose to return to the NFIP at a later date.

If approved by the Governor, these provisions take effect July 1, 2017.

Vote: Senate 31-0; House 117-0