

154-265AX-32

Bill No. CS for SB 312, 2nd Eng.

Amendment No. ____ (for drafter's use only)

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Goode offered the following:

Amendment (with title amendment)

On page 2, line 2,

insert:

Section 1. Subsection (1) of section 284.33, Florida Statutes, 1998 Supplement, is amended to read:

284.33 Purchase of insurance, reinsurance, and services.--

(1) The Department of Insurance is authorized to provide insurance, specific excess insurance, and aggregate excess insurance through the Department of Management Services, pursuant to the provisions of part I of chapter 287, as necessary to provide insurance coverages authorized by this part, consistent with market availability. However, the Department of Insurance may directly purchase annuities through utilization of a structured settlement insurance consulting firm selected by the department to assist in the settlement of claims being handled by the Division of Risk Management. The selection of the structured settlement

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1 insurance services consultant shall be made by using
 2 competitive sealed proposals. The consulting firm shall act as
 3 an agent of record for the department in procuring the best
 4 annuity products available to facilitate structured settlement
 5 of claims, considering price, insurer financial strength, and
 6 the best interests of the state risk management program.
 7 Purchase of annuities by the department utilizing a structured
 8 settlement method shall be excepted from competitive sealed
 9 bidding or proposal requirements.The Department of Insurance
 10 is further authorized to purchase such risk management
 11 services, including, but not limited to, risk and claims
 12 control; safety management; and legal, investigative, and
 13 adjustment services, as may be required and pay claims. The
 14 department may contract with a service organization for such
 15 services and advance money to such service organization for
 16 deposit in a special checking account for paying claims made
 17 against the state under the provisions of this part. The
 18 special checking account shall be maintained in this state in
 19 a bank or savings association organized under the laws of this
 20 state or of the United States. The department may replenish
 21 such account as often as necessary upon the presentation by
 22 the service organization of documentation for payments of
 23 claims equal to the amount of the requested reimbursement.

24 Section 2. Subsection (6) of section 626.99, Florida
 25 Statutes, is amended to read:

26 626.99 Life insurance solicitation.--

27 (6) ADOPTION OF BUYER'S GUIDE; REQUIREMENTS.--Any
 28 insurer soliciting life insurance in this state on or after
 29 October 1, 1980, shall adopt and use a buyer's guide, and the
 30 adoption and use by an insurer of the buyer's guide adopted
 31 October 1, 1996 ~~May 4, 1976~~, by the National Association of

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1 Insurance Commissioners in the NAIC Life Insurance
2 Solicitation Model Regulation shall be in compliance with the
3 requirements of this section.

4 Section 3. Section 627.4785, Florida Statutes, is
5 created to read:

6 627.4785 Valuation of life insurance policies.--The
7 department may adopt by rule the valuation of life insurance
8 policies model regulation as approved by the National
9 Association of Insurance Commissioners in March 1999,
10 including tables of select mortality factors.

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

14 And the title is amended as follows:

15 On page 1, line 2,
16 remove all of said line,

17

18 and insert in lieu thereof:

19 An act relating to insurance; amending s.
20 284.33, F.S.; authorizing the Department of
21 Insurance to directly purchase annuities
22 through a structured settlement insurance
23 services consultant; providing procedures and
24 requirements; providing an exemption from
25 certain competitive sealed bidding or proposal
26 requirements; amending s. 626.99, F.S.;
27 revising a reference to a more current edition
28 of a certain buyer's guide; creating s.
29 627.4785, F.S.; authorizing the Department of
30 Insurance to adopt a certain valuation of life
31 insurance policies model regulation; amending