

By the Committee on Rules & Calendar and Representative  
Bitner

1                                   A bill to be entitled  
2           An act relating to the Florida Statutes;  
3           repealing or deleting various statutory  
4           provisions that have become obsolete, have had  
5           their effect, have served their purpose, or  
6           have been impliedly repealed or superseded;  
7           repealing s. 215.555(15), F.S., relating to the  
8           definition of "collateral protection  
9           insurance"; amending s. 624.408, F.S.; deleting  
10          obsolete schedule provisions relating to the  
11          surplus required to be maintained by certain  
12          property and casualty insurers; repealing s.  
13          624.515(2)(b), F.S., relating to applicability  
14          of the surcharge on policies of fire, allied  
15          lines, or multiperil insurance insuring  
16          commercial property; repealing s. 626.9929,  
17          F.S., relating to a grace period under the  
18          Viatical Settlement Act; amending s. 627.0628,  
19          F.S.; deleting obsolete provisions relating to  
20          adoption and revision of hurricane loss  
21          projection standards and guidelines; repealing  
22          s. 627.072(4)(c), F.S., relating to a directive  
23          to the Insurance Commissioner on the use of a  
24          methodology for establishing rates for workers'  
25          compensation and employer's liability  
26          insurance; amending s. 627.215, F.S.; deleting  
27          an obsolete reporting requirement on the excess  
28          profits law; amending s. 627.3511, F.S.;  
29          deleting findings relating to the need to  
30          reduce the number of Residential Property and  
31          Casualty Joint Underwriting Association

1 policies; repealing s. 627.706(5), F.S.,  
2 relating to applicability of sinkhole insurance  
3 requirements; amending s. 629.520, F.S.;  
4 deleting obsolete provisions relating to the  
5 authority of limited reciprocal insurers;  
6 amending s. 633.41, F.S.; deleting an obsolete  
7 provision relating to firefighter certificates  
8 of tenure; repealing s. 633.537(3)(b), F.S.,  
9 relating to obsolete continuing education  
10 requirements for fire protection contractors;  
11 repealing s. 634.404(1)(a) and (b), F.S.,  
12 relating to a phase-in period for service  
13 warranty associations to meet minimum net asset  
14 requirements; repealing s. 642.0262(2), F.S.,  
15 relating to a phase-in period for legal expense  
16 insurance corporations to meet minimum net  
17 worth requirements; providing an effective  
18 date.

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20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Subsection (15) of section 215.555, Florida  
23 Statutes, is repealed.

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25 Section 2. Paragraph (b) of subsection (1) of section  
26 624.408, Florida Statutes, is amended to read:

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28 624.408 Surplus as to policyholders required; new and  
29 existing insurers.--

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(b) For any property and casualty insurer holding a  
certificate of authority on December 1, 1993, the following

1 amounts apply instead of the \$4 million required by  
2 subparagraph (a)5.:

3 ~~1. On December 31, 1998, and until December 30, 1999,~~  
4 ~~\$2.25 million.~~

5 ~~2. On December 31, 1999, and until December 30, 2000,~~  
6 ~~\$2.5 million.~~

7 1.3. On December 31, 2000, and until December 30,  
8 2001, \$2.75 million.

9 2.4. On December 31, 2001, and until December 30,  
10 2002, \$3 million.

11 3.5. On December 31, 2002, and until December 30,  
12 2003, \$3.25 million.

13 4.6. On December 31, 2003, and until December 30,  
14 2004, \$3.6 million.

15 5.7. On December 31, 2004, and thereafter, \$4 million.

16 Section 3. Paragraph (b) of subsection (2) of section  
17 624.515, Florida Statutes, is repealed.

18 Section 4. Section 626.9929, Florida Statutes, is  
19 repealed.

20 Section 5. Paragraph (d) of subsection (3) of section  
21 627.0628, Florida Statutes, is amended to read:

22 627.0628 Florida Commission on Hurricane Loss  
23 Projection Methodology.--

24 (3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.--

25 (d) ~~The commission shall adopt initial actuarial~~  
26 ~~methods, principles, standards, models, or output ranges no~~  
27 ~~later than December 31, 1995.~~ The commission shall adopt  
28 revisions to such actuarial methods, principles, standards,  
29 models, or output ranges at least annually ~~thereafter.~~ ~~As~~  
30 ~~soon as possible, but no later than July 1, 1996, the~~  
31 ~~commission shall adopt revised actuarial methods, principles,~~

1 ~~standards, models, or output ranges which include~~  
2 ~~specification of acceptable computer models or output ranges~~  
3 ~~derived from computer models.~~

4       Section 6. Paragraph (c) of subsection (4) of section  
5 627.072, Florida Statutes, is repealed.

6       Section 7. Subsection (14) of section 627.215, Florida  
7 Statutes, is amended to read:

8       627.215 Excessive profits for workers' compensation,  
9 employer's liability, commercial property, and commercial  
10 casualty insurance prohibited.--

11       (14) The application of this law to commercial  
12 property and commercial casualty insurance, which includes  
13 commercial umbrella liability insurance, ceases on January 1,  
14 1997. ~~The Department of Insurance shall, no later than~~  
15 ~~October 1, 1995, provide a report on this law to the President~~  
16 ~~of the Senate and the Speaker of the House of Representatives,~~  
17 ~~which report includes a history of the excess profits law and~~  
18 ~~a year-by-year listing of excess profits returned to~~  
19 ~~policyholders as refunds or credits.~~

20       Section 8. Subsection (1) of section 627.3511, Florida  
21 Statutes, is amended to read:

22       627.3511 Depopulation of Residential Property and  
23 Casualty Joint Underwriting Association.--

24       (1) ~~LEGISLATIVE FINDINGS AND INTENT.--The Legislature~~  
25 ~~finds and declares that the Residential Property and Casualty~~  
26 ~~Joint Underwriting Association has written an amount of~~  
27 ~~policies beyond legislative expectations and has become, by~~  
28 ~~virtue of its size, a significant impediment to the~~  
29 ~~restoration of a stable and competitive residential property~~  
30 ~~insurance market in this state; that the public policy of this~~  
31 ~~state requires the maintenance of a residual market for~~

1 ~~residential property insurance; and that extraordinary~~  
2 ~~measures, beyond implementation of eligibility criteria and~~  
3 ~~noncompetitive rates, are required to reduce the number of~~  
4 ~~policies written by the Residential Property and Casualty~~  
5 ~~Joint Underwriting Association to a reasonable level.~~ It is  
6 the intent of the Legislature to provide a variety of  
7 financial incentives to encourage the replacement of the  
8 highest possible number of Residential Property and Casualty  
9 Joint Underwriting Association policies with policies written  
10 by admitted insurers at approved rates.

11 Section 9. Subsection (5) of section 627.706, Florida  
12 Statutes, is repealed.

13 Section 10. Section 629.520, Florida Statutes, is  
14 amended to read:

15 629.520 ~~Abolition of existing~~ Authority of the  
16 ~~department to issue a certificate of authority as a limited~~  
17 ~~reciprocal insurer.--On October 1, 1991, the existing~~  
18 ~~authority of the department to issue a certificate of~~  
19 ~~authority as a limited reciprocal insurer pursuant to this~~  
20 ~~chapter is abolished. Existing limited reciprocal insurers~~  
21 ~~which continue to hold a certificate of authority after this~~  
22 ~~date shall have until October 1, 1992, to convert their~~  
23 ~~certificate of authority by meeting the requirements for a~~  
24 ~~certificate of authority as another type of insurer authorized~~  
25 ~~under this code. All existing certificates of authority as a~~  
26 ~~limited reciprocal insurer not so converted shall~~  
27 ~~automatically terminate on October 1, 1992.~~ The authority of  
28 any limited reciprocal insurer to accept new business or  
29 renewals shall not continue beyond October 1, 1992; however,  
30 such limited reciprocal insurer shall continue to service its  
31 obligations previously incurred or with the approval of the

1 department, arrange for the transfer of these obligations to  
2 an authorized insurer. All power of the department with  
3 respect to limited reciprocal insurers shall continue  
4 undiminished. This section does not affect any other power of  
5 the department or any other function of the department.

6 Section 11. Section 633.41, Florida Statutes, is  
7 amended to read:

8 633.41 Saving clause.--Firefighters employed on July  
9 5, 1969, are not required to meet the provisions of ss. 633.34  
10 and 633.35 as a condition of tenure or continued employment;  
11 nor shall their failure to fulfill such requirements make them  
12 ineligible for any promotional examination for which they are  
13 otherwise eligible or affect in any way any pension rights to  
14 which they may be entitled on July 5, 1969. ~~Firefighters~~  
15 ~~employed on July 5, 1969, who have not yet been issued a~~  
16 ~~certificate of tenure shall make application to the Florida~~  
17 ~~State Fire College for such certificate no later than June 30,~~  
18 ~~1990, after which date no certificates of tenure will be~~  
19 ~~issued.~~

20 Section 12. Paragraph (b) of subsection (3) of section  
21 633.537, Florida Statutes, is repealed.

22 Section 13. Paragraphs (a) and (b) of subsection (1)  
23 of section 634.404, Florida Statutes, are repealed.

24 Section 14. Subsection (2) of section 642.0262,  
25 Florida Statutes, is repealed.

26 Section 15. This act shall take effect upon becoming a  
27 law.

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HOUSE SUMMARY

Repeals or deletes various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded. Repeals or deletes provisions relating to the definition of "collateral protection insurance"; obsolete schedule provisions relating to the surplus required to be maintained by certain property and casualty insurers; applicability of the surcharge on policies of fire, allied lines, or multiperil insurance insuring commercial property; a grace period under the Viatical Settlement Act; obsolete provisions relating to adoption and revision of hurricane loss projection standards and guidelines; a directive to the Insurance Commissioner on the use of a methodology for establishing rates for workers' compensation and employer's liability insurance; an obsolete reporting requirement on the excess profits law; findings relating to the need to reduce the number of Residential Property and Casualty Joint Underwriting Association policies; applicability of sinkhole insurance requirements; obsolete provisions relating to the authority of limited reciprocal insurers; an obsolete provision relating to firefighter certificates of tenure; obsolete continuing education requirements for fire protection contractors; and phase-in periods for service warranty associations to meet minimum net asset requirements and legal expense insurance corporations to meet minimum net worth requirements.