

hbd-032

Bill No. HB 427, 1st Eng.

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Harper offered the following:

Amendment (with title amendment)

On page 2, between lines 8 and 9,

insert:

Section 3. Paragraph (n) of subsection (1) of section 626.9541, Florida Statutes, is amended to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.--

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.--The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(n) Free insurance prohibited.--

1. Advertising, offering, or providing free insurance as an inducement to the purchase or sale of real or personal property or of services directly or indirectly connected with such real or personal property.

2. For the purposes of this paragraph, "free" insurance is:

a. Insurance for which no identifiable and additional

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1 charge is made to the purchaser of such real property,
2 personal property, or services.
3 b. Insurance for which an identifiable or additional
4 charge is made in an amount less than the cost of such
5 insurance as to the seller or other person, other than the
6 insurer, providing the same.
7 3. Subparagraphs 1. and 2. do not apply to:
8 a. Insurance of, loss of, or damage to the real or
9 personal property involved in any such sale or services, under
10 a policy covering the interests therein of the seller or
11 vendor.
12 b. Blanket disability insurance as defined in s.
13 627.659.
14 c. Credit life insurance or credit disability
15 insurance.
16 d. Any individual, isolated, nonrecurring unadvertised
17 transaction not in the regular course of business.
18 e. Title insurance.
19 f. Any purchase agreement involving the purchase of a
20 cemetery lot or lots in which, under stated conditions, any
21 balance due is forgiven upon the death of the purchaser.
22 g. Life insurance, trip cancellation insurance, or
23 lost baggage insurance offered by a travel agency as part of a
24 travel package offered by and booked through the agency.
25 h. Private passenger auto insurance provided and paid
26 for by an entity licensed under s. 320.61, approved by the
27 department, and determined by the department to be in the
28 public interest.
29 4. Using the word "free" or words which imply the
30 provision of insurance without a cost to describe life or
31 disability insurance, in connection with the advertising or

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1 offering for sale of any kind of goods, merchandise, or
2 services.

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

6 And the title is amended as follows:

7 On page 1, line 7, after the semicolon,

8

9 insert:

10 amending s. 626.9541, F.S.; exempting certain
11 auto insurance from a prohibition against
12 providing free insurance as an unfair method of
13 competition;

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