

Bill No. CS for CS for SB 432

Amendment No.      Barcode 192720

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Futch moved the following amendment:

**Senate Amendment (with title amendment)**

On page 4, lines 21-27, delete those lines

and insert:

Section 2. Paragraphs (n) and (w) of subsection (1) of section 626.9541, Florida Statutes, are 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, and approved and  
27 determined by the department to be in the public interest.  
28       4. Using the word "free" or words which imply the  
29 provision of insurance without a cost to describe life or  
30 disability insurance, in connection with the advertising or  
31 offering for sale of any kind of goods, merchandise, or

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1 services.

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

5 And the title is amended as follows:

6 On page 1, line 10, after the first semicolon,

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8 insert:

9 providing an exception to the prohibition on  
10 providing free insurance as an unfair method of  
11 competition;

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