

By Senator Diaz de la Portilla

36-1013A-03

See HB 721

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

A bill to be entitled
An act relating to warranty association
regulation; amending ss. 634.031, 634.303, and
634.403, F.S.; exempting affiliates of insurers
from provisions regulating certain warranty
associations, under certain circumstances;
providing for nonapplication of the exemptions
under certain circumstances; providing an
effective date.

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

Section 1. Subsection (5) is added to section 634.031,
Florida Statutes, to read:

634.031 License required.--

(5) Any person that is an affiliate of a domestic
insurer as defined in chapter 624 is exempt from application
of this part if the person does not issue, or market or cause
to be marketed, motor vehicle service agreements to residents
of this state and does not administer motor vehicle service
agreements that were originally issued to residents of this
state. If the department determines, after notice and
opportunity for a hearing, that a person's intentional
business practices do not comply with any of the exemption
requirements of this subsection, the person shall be subject
to this part.

Section 2. Subsection (3) is added to section 634.303,
Florida Statutes, to read:

634.303 License required.--

(3) Any person that is an affiliate of a domestic
insurer as defined in chapter 624 is exempt from application

1 of this part if the person does not issue, or market or cause
2 to be marketed, home warranties to residents of this state and
3 does not administer home warranties that were originally
4 issued to residents of this state. If the department
5 determines, after notice and opportunity for a hearing, that a
6 person's intentional business practices do not comply with any
7 of the exemption requirements of this subsection, the person
8 shall be subject to this part.

9 Section 3. Subsection (4) is added to section 634.403,
10 Florida Statutes, to read:

11 634.403 License required.--

12 (4) Any person that is an affiliate of a domestic
13 insurer as defined in chapter 624 is exempt from application
14 of this part if the person does not issue, or market or cause
15 to be marketed, service warranties to residents of this state
16 and does not administer service warranties that were
17 originally issued to residents of this state. If the
18 department determines, after notice and opportunity for a
19 hearing, that a person's intentional business practices do not
20 comply with any of the exemption requirements of this
21 subsection, the person shall be subject to this part.

22 Section 4. This act shall take effect upon becoming a
23 law.

24
25
26
27
28
29
30
31