



HB 0721

2003

1 A bill to be entitled

2 An act relating to warranty association regulation;
3 amending ss. 634.031, 634.303, and 634.403, F.S.;
4 exempting affiliates of insurers from provisions
5 regulating certain warranty associations, under certain
6 circumstances; providing for nonapplication of the
7 exemptions under certain circumstances; providing an
8 effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Subsection (5) is added to section 634.031,
13 Florida Statutes, to read:

14 634.031 License required.--

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

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

27 634.303 License required.--

28 (3) Any person that is an affiliate of a domestic insurer
29 as defined in chapter 624 is exempt from application of this
30 part if the person does not issue, or market or cause to be



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31 marketed, home warranties to residents of this state and does
32 not administer home warranties that were originally issued to
33 residents of this state. If the department determines, after
34 notice and opportunity for a hearing, that a person's
35 intentional business practices do not comply with any of the
36 exemption requirements of this subsection, the person shall be
37 subject to this part.

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

40 634.403 License required.--

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

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