

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Berfield offered the following:

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3 **Amendment to Amendment (467323) (with title amendment)**

4 Between lines 298 and 299, insert:

5 Section 26. Subsections (1) and (2) of section 627.0629,
6 Florida Statutes, are amended to read:

7 627.0629 Residential property insurance; rate filings.--

8 (1) Effective June 1, 2002, a rate filing for residential
9 property insurance must include actuarially reasonable

10 discounts, credits, or other rate differentials, or appropriate
11 reductions in deductibles, for properties on which fixtures or

12 construction techniques demonstrated to reduce the amount of
13 loss in a windstorm have been installed or implemented. The

14 fixtures or construction techniques shall include, but not be
15 limited to, fixtures or construction techniques which enhance

16 roof strength, roof covering performance, roof-to-wall strength,

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17 wall-to-floor-to-foundation strength, opening protection, and
18 window, door, and skylight strength. Credits, discounts, or
19 other rate differentials for fixtures and construction
20 techniques which meet the minimum requirements of the Florida
21 Building Code must be included in the rate filing. All insurance
22 companies must make a rate filing which includes the credits,
23 discounts, or other rate differentials by February 28, 2003.
24 This subsection does not apply to an insurer if the insurer's
25 average annual premium for all of its policies issued providing
26 windstorm coverage is \$100 or less. The office may adjust the
27 amount of annual premium qualifying for this exemption for
28 inflation at appropriate intervals.

29 (2)(a) A rate filing for residential property insurance
30 made on or before the implementation of paragraph (b) may
31 include rate factors that reflect the manner in which building
32 code enforcement in a particular jurisdiction addresses the risk
33 of wind damage; however, such a rate filing must also provide
34 for variations from such rate factors on an individual basis
35 based on an inspection of a particular structure by a licensed
36 home inspector, which inspection may be at the cost of the
37 insured.

38 (b) A rate filing for residential property insurance made
39 more than 150 days after approval by the office of a building
40 code rating factor plan submitted by a statewide rating
41 organization shall include positive and negative rate factors
42 that reflect the manner in which building code enforcement in a
43 particular jurisdiction addresses risk of wind damage. The rate
44 filing shall include variations from standard rate factors on an

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45 individual basis based on inspection of a particular structure
46 by a licensed home inspector. If an inspection is requested by
47 the insured, the insurer may require the insured to pay the
48 reasonable cost of the inspection. This paragraph applies to
49 structures constructed or renovated after the implementation of
50 this paragraph.

51 (c) The premium notice shall specify the amount by which
52 the rate has been adjusted as a result of this subsection and
53 shall also specify the maximum possible positive and negative
54 adjustments that are approved for use by the insurer under this
55 subsection.

56 (d) This subsection does not apply to an insurer if the
57 insurer's average annual premium for all of its policies issued
58 providing windstorm coverage is \$100 or less. The office may
59 adjust the amount of annual premium qualifying for this
60 exemption for inflation at appropriate intervals.

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

63 Remove line(s) 748, and insert:
64 Personal lines agents; amending s. 627.0629, F.S.; specifying
65 nonapplication to certain insurers under certain circumstances;
66 authorizing the office to adjust certain premium under certain
67 circumstances; amending s. 627.0915, F.S.; providing for