

Bill No. CS for SB 2522

Barcode 941374

CHAMBER ACTION

Senate

House

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The Committee on Judiciary (Posey) recommended the following amendment:

Senate Amendment (with title amendment)

On page 3, between lines 11 and 12,

insert:

Section 5. 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:

Bill No. CS for SB 2522

Barcode 941374

1 a. Insurance for which no identifiable and additional
2 charge is made to the purchaser of such real property,
3 personal property, or services.

4 b. Insurance for which an identifiable or additional
5 charge is made in an amount less than the cost of such
6 insurance as to the seller or other person, other than the
7 insurer, providing the same.

8 3. Subparagraphs 1. and 2. do not apply to:

9 a. Insurance of, loss of, or damage to the real or
10 personal property involved in any such sale or services, under
11 a policy covering the interests therein of the seller or
12 vendor.

13 b. Blanket disability insurance as defined in s.
14 627.659.

15 c. Credit life insurance or credit disability
16 insurance.

17 d. Any individual, isolated, nonrecurring unadvertised
18 transaction not in the regular course of business.

19 e. Title insurance.

20 f. Any purchase agreement involving the purchase of a
21 cemetery lot or lots in which, under stated conditions, any
22 balance due is forgiven upon the death of the purchaser.

23 g. Life insurance, trip cancellation insurance, or
24 lost baggage insurance offered by a travel agency as part of a
25 travel package offered by and booked through the agency.

26 h. Insurance covering property, other than real
27 property or motor vehicles, if the person paying for the
28 insurance:

29 (I) Has an ongoing contractual interest or other
30 economic interest in the property; or

31 (II) Requires the property to deliver its services.

Bill No. CS for SB 2522

Barcode 941374

1 4. Using the word "free" or words which imply the
2 provision of insurance without a cost to describe life or
3 disability insurance, in connection with the advertising or
4 offering for sale of any kind of goods, merchandise, or
5 services.

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7 (Redesignate subsequent sections.)
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10 ===== T I T L E A M E N D M E N T =====

11 And the title is amended as follows:

12 On page 1, line 13, after the semicolon,
13
14 insert:

15 amending s. 626.9541, F.S., relating to unfair
16 methods of competition and unfair or deceptive
17 acts or practices; exempting, from the
18 prohibition on free insurance, insurance
19 covering property other than real property or
20 motor vehicles under specified circumstances;

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