

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Sorensen offered the following:

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3 **Amendment to Amendment (074037) (with title amendment)**

4 Remove line(s) 2282-2306 and insert:

5 4.a. For the purposes of establishing a pilot program to
6 evaluate issues relating to the availability and affordability
7 of insurance in an area where historically there has been little
8 market competition, the provisions of subparagraph 2. do not
9 apply to coverage provided by the corporation in Monroe County
10 if the office determines that a reasonable degree of competition
11 does not exist for personal lines residential policies. The
12 provisions of subparagraph 3. do not apply to coverage provided
13 by the corporation in Monroe County if the office determines
14 that a reasonable degree of competition does not exist for
15 personal lines residential policies in the area of that county
16 which is eligible for wind-only coverage. In this county, the
17 rates for personal lines residential coverage shall be

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18 actuarially adequate ~~sound~~ and not excessive, inadequate, or
19 unfairly discriminatory and are subject to the other provisions
20 of the paragraph and s. 627.062. The commission shall adopt
21 rules establishing the criteria for determining whether a
22 reasonable degree of competition exists for personal lines
23 residential policies in Monroe County. Any proposed rate
24 increase filed by the corporation after May 1, 2006, but before
25 October 1, 2006, for Monroe County based upon actuarial adequacy
26 shall be implemented in equal amounts over a period of 3 years.

27 b. Pursuant to a report by March 1, 2006, the office shall
28 submit a report to the Legislature providing an evaluation of
29 the implementation of the pilot program affecting Monroe County
30 and indicating that there has historically been a lack of a
31 reasonable degree of competition in Monroe County, the office
32 shall proceed as follows:

33 (I) The office shall order the corporation to charge only
34 approved rates in effect for Monroe County on October 1, 2005,
35 until any new rates are approved by the office.

36 (II) The office shall hold one or more public hearings,
37 with at least 30 days' advance notice to interested persons, in
38 Monroe County prior to the approval or implementation of a rate
39 filing which proposes rates that exceed rates that were in
40 effect for Monroe County on October 1, 2005.

41 (III) The office shall make available for public
42 inspection 30 days prior to such hearings the office's written
43 actuarial analysis if such analysis differs materially from that
44 submitted by the corporation in support of the new rates filed.
45 The office and the corporation shall also provide actuaries and
46 qualified experts in attendance at such hearings to answer

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47 questions from actuaries or other qualified experts representing
48 Monroe County or the public concerning the new rates filed.
49 Additionally, the office shall provide for a technical hearing
50 at which only actuaries and qualified experts representing the
51 office, the corporation, Monroe County, or the Office of the
52 Insurance Consumer Advocate may testify and at which the public
53 may attend.

54 (IV) Notwithstanding any other provision of law, the
55 office shall order the portion of any premium collected in 2006
56 based on a rate charged on a use and file bases above that which
57 was actuarially justified to be returned to such policyholder in
58 the form of a credit or refund.

59
60 ===== T I T L E A M E N D M E N T =====

61 Remove line 4679 and insert:
62 a pilot program in Monroe County; providing program requirements
63 of the office; deleting provisions relating
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