

Bill No. SB 764

Barcode 165390

CHAMBER ACTION

Senate

House

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The Committee on Banking and Insurance (Fasano) recommended
the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Paragraph (dd) is added to subsection (1)
of section 626.9541, Florida Statutes, 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:

(dd) Refusal to insure.--A life insurance company may
not refuse to insure, refuse to continue to insure, or limit
the amount, extent, or kind of life insurance coverage
available to an individual based solely on the individual's
past lawful foreign travel or based solely on the individual's
future lawful foreign travel plans except under specified
circumstances.

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1 1. An insurer may not refuse to insure, refuse to
 2 continue to insure, or limit the amount, extent, or kind of
 3 life insurance coverage available to an individual based
 4 solely on the individual's past lawful foreign travel.

5 2. An insurer may not refuse to insure, refuse to
 6 continue to insure, or limit the amount, extent, or kind of
 7 life insurance coverage available to an individual based
 8 solely on the individual's future lawful foreign travel plans
 9 unless one or more of the following is true with respect to
 10 the destination:

11 a. The Centers for Disease Control, the National
 12 Institutes of Health, the World Health Organization, or
 13 another similar nationally or internationally recognized
 14 health organization, as determined by the Office of Insurance
 15 Regulation, has issued alerts or warnings regarding serious
 16 health-related conditions or an epidemic or pandemic alert and
 17 response;

18 b. There is an ongoing armed conflict identified
 19 involving:

20 (I) The military of a sovereign nation foreign to the
 21 area of conflict identified or recognized by North Atlantic
 22 Treaty Organization or the United Nations; or

23 (II) A civil war officially recognized by or involving
 24 the peacekeeping forces of North Atlantic Treaty Organization,
 25 the United Nations, or another similar international
 26 organization as determined by the Office of Insurance
 27 Regulation;

28 c. The United States has no diplomatic relations with
 29 the country, has withdrawn or is withdrawing its nationals,
 30 diplomats, or their families, or has restricted the movement
 31 of its personnel due to security concerns; or

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1 d. The Office of Insurance Regulation has determined
2 there are additional criteria or information sources that may
3 be used to establish that an individual having plans to travel
4 to the destination is in a different actuarially supportable
5 class and has a different expectation of life.

6 3. Regardless of any provision of subparagraph 2., an
7 insurer may not refuse to insure or limit the amount, extent,
8 or kind of life insurance coverage available to an individual
9 based solely on the individual's plans to commence future
10 lawful foreign travel more than 24 months after the date of
11 application.

12 4. As used in this paragraph, the term "travel" does
13 not include an individual's country of residence.

14 Section 2. This act shall take effect July 1, 2006.

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

18 And the title is amended as follows:

19 Delete everything before the enacting clause

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21 and insert:

22 A bill to be entitled
23 An act relating to travel-limited life
24 insurance coverage; amending s. 626.9541, F.S.;

25 specifying prohibited activities by insurers
26 concerning life insurance coverage relating to
27 lawful travel experiences; providing
28 exceptions; providing an effective date.

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