

1                                   A bill to be entitled  
2           An act relating to travel-limited life  
3           insurance coverage; providing a short title;  
4           amending s. 626.9541, F.S.; specifying  
5           prohibited activities by insurers for life  
6           insurance coverage relating to lawful travel  
7           experiences or plans; authorizing the Financial  
8           Services Commission to adopt rules and provide  
9           certain limited exceptions based on emergency  
10          conditions and public policy; requiring market  
11          conduct examinations of life insurers to  
12          include a review of certain applications;  
13          providing for trebling certain administrative  
14          fines for certain violations; requiring the  
15          Office of Insurance Regulation to report  
16          annually to the Legislature; providing report  
17          requirements; providing an effective date.

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19 Be It Enacted by the Legislature of the State of Florida:

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21           Section 1. This act may be cited as the "Freedom to  
22 Travel Act."

23           Section 2. Paragraph (dd) is added to subsection (1)  
24 of section 626.9541, Florida Statutes, to read:

25           626.9541 Unfair methods of competition and unfair or  
26 deceptive acts or practices defined.--

27           (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR  
28 DECEPTIVE ACTS.--The following are defined as unfair methods  
29 of competition and unfair or deceptive acts or practices:

30           (dd) Life insurance limitations based on past foreign  
31 travel experiences or future foreign travel plans.--

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

6       2. An insurer may not refuse life insurance to, refuse  
7 to continue the life insurance of, or limit the amount,  
8 extent, or kind of life insurance coverage available to an  
9 individual based solely on the individual's future lawful  
10 travel plans unless the insurer can demonstrate and the Office  
11 of Insurance Regulation determines that:

12           a. Individuals who travel are a separate actuarially  
13 supportable class whose risk of loss is different from those  
14 individuals who do not travel; and

15           b. Such risk classification is based upon sound  
16 actuarial principles and actual or reasonably anticipated  
17 experience that correlates to the risk of travel to a specific  
18 destination.

19       3. The commission may adopt rules pursuant to ss.  
20 120.536(1) and 120.54 necessary to implement this paragraph  
21 and may provide for limited exceptions that are based upon  
22 national or international emergency conditions that affect the  
23 public health, safety, and welfare and that are consistent  
24 with public policy.

25       4. Each market conduct examination of a life insurer  
26 conducted pursuant to s. 624.3161 shall include a review of  
27 every application under which such insurer refused to issue  
28 life insurance, refused to continue life insurance, or limited  
29 the amount, extent, or kind of life insurance issued, based  
30 upon future lawful travel plans.

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1           5. The administrative fines provided in s. 624.4211(2)  
2 and (3) shall be trebled for violations of this paragraph.

3           6. The Office of Insurance Regulation shall report to  
4 the President of the Senate and the Speaker of the House of  
5 Representatives by March 1, 2007, and on the same date  
6 annually thereafter, on the implementation of this paragraph.  
7 The report shall include, but not be limited to, the number of  
8 applications under which life insurance was denied,  
9 continuance was refused, or coverage was limited based on  
10 future travel plans, the number of insurers taking such  
11 action, and the reason for taking each such action.

12           Section 3. This act shall take effect July 1, 2006.

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