

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Robaina offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 61 and 62, insert:

5 Section 2. Paragraph (a) of subsection (2) of section  
6 626.9201, Florida Statutes, is amended to read:

7 626.9201 Notice of cancellation or nonrenewal.--

8 (2) An insurer issuing a policy providing coverage for  
9 property, casualty, surety, or marine insurance shall give the  
10 named insured written notice of cancellation or termination  
11 other than nonrenewal at least 45 days prior to the effective  
12 date of the cancellation or termination, including in the  
13 written notice the reason or reasons for the cancellation or  
14 termination, except that:

15 (a) When cancellation is for nonpayment of premium, at  
16 least 10 days' written notice of cancellation accompanied by the  
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17 reason therefor shall be given. As used in this paragraph, the  
18 term "nonpayment of premium" means failure of the named insured  
19 to discharge when due any of his or her obligations in  
20 connection with the payment of premiums on a policy or any  
21 installment of such premium, whether the premium is payable  
22 directly to the insurer or its agent or indirectly under any  
23 premium finance plan or extension of credit, or failure to  
24 maintain membership in an organization if such membership is a  
25 condition precedent to insurance coverage. "Nonpayment of  
26 premium" also means the failure of a financial institution to  
27 honor an insurance applicant's check after delivery to a  
28 licensed agent for payment of a premium, even if the agent has  
29 previously delivered or transferred the premium to the insurer.  
30 If a dishonored check represents the initial premium payment,  
31 the contract and all contractual obligations shall be void ab  
32 initio unless the nonpayment is cured within the earlier of 5  
33 days after actual notice by certified mail is received by the  
34 applicant or 15 days after notice is sent to the applicant by  
35 certified mail or registered mail, and if the contract is void,  
36 any premium received by the insurer from a third party shall be  
37 refunded to that party in full. ~~and~~

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

40 Between lines 14 and 15, insert:  
41 amending s. 626.9201, F.S.; providing a definition for the term  
42 "nonpayment of premium";

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