



Bill No. CS for SB 2498

Barcode 763164

1 obligations in connection with the payment of premiums on a  
2 policy or an installment of such a premium, whether the  
3 premium or installment is payable directly to the insurer or  
4 its agent or indirectly under any plan for financing premiums  
5 or extension of credit or the failure of the named insured to  
6 maintain membership in an organization if such membership is a  
7 condition precedent to insurance coverage. The term also  
8 includes the failure of a financial institution to honor the  
9 check of an applicant for insurance which was delivered to a  
10 licensed agent for payment of a premium, even if the agent  
11 previously delivered or transferred the premium to the  
12 insurer. If a dishonored check represents payment of the  
13 initial premium, the contract, and all contractual obligations  
14 are void ab initio unless the nonpayment is cured within the  
15 earlier of 5 days after actual notice by certified mail is  
16 received by the applicant or 15 days after notice is sent to  
17 the applicant by certified mail or registered mail, and, if  
18 the contract is void, any premium received by the insurer from  
19 a third party shall be refunded to that party in full; and

20 (b) When such cancellation or termination occurs  
21 during the first 90 days during which the insurance is in  
22 force and the insurance is canceled or terminated for reasons  
23 other than nonpayment, at least 20 days' written notice of  
24 cancellation or termination accompanied by the reason therefor  
25 shall be given except where there has been a material  
26 misstatement or misrepresentation or failure to comply with  
27 the underwriting requirements established by the insurer.

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29 (Redesignate subsequent sections.)

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

2 And the title is amended as follows:

3            On page 1, lines 2-14, delete those lines

4

5 and insert:

6            An act relating to insurance; amending s.  
7            627.351, F.S.; revising legislative findings to  
8            provide a finding that the lack of affordable  
9            property insurance threatens the public health,  
10           safety, and welfare and threatens the economic  
11           health of the state; revising provisions for  
12           determining eligibility for coverage under  
13           Citizens Property Insurance Corporation;  
14           prohibiting issuance of new certificates of  
15           authority to certain insurers; requiring rate  
16           filings of certain insurers to include certain  
17           parent company profits information; amending s.  
18           626.9201, F.S.; revising requirements  
19           concerning cancellation for nonpayment of  
20           premium of policies providing coverage for  
21           property, casualty, surety, or marine  
22           insurance; defining the term "nonpayment of  
23           premium"; providing that certain contracts or  
24           contractual obligations concerning such  
25           coverage are void under specified conditions;  
26           requiring the refund of certain premiums  
27           received by an insurer; providing effective  
28           dates.

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