

Amendment No.

CHAMBER ACTION

Senate

House



1 Representative(s) Domino offered the following:

2

3 **Amendment (with title amendment)**

4 Remove lines 1099 to 1153 and insert:

5 ~~5. Effective July 1, 2008, a personal lines residential~~  
6 ~~structure that has a dwelling replacement cost of \$1 million or~~  
7 ~~more, or a single condominium unit that has a combined dwelling~~  
8 ~~and content replacement cost of \$1 million or more is not~~  
9 ~~eligible for coverage by the corporation. Such dwellings insured~~  
10 ~~by the corporation on June 30, 2008, may continue to be covered~~  
11 ~~by the corporation until the end of the policy term. However,~~  
12 ~~such dwellings that are insured by the corporation and become~~  
13 ~~ineligible for coverage due to the provisions of this~~  
14 ~~subparagraph may reapply and obtain coverage in the high risk~~  
15 ~~account and be considered "nonhomestead property" if the~~  
16 ~~property owner provides the corporation with a sworn affidavit~~  
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17 ~~from one or more insurance agents, on a form provided by the~~  
18 ~~corporation, stating that the agents have made their best~~  
19 ~~efforts to obtain coverage and that the property has been~~  
20 ~~rejected for coverage by at least one authorized insurer and at~~  
21 ~~least three surplus lines insurers. If such conditions are met,~~  
22 ~~the dwelling may be insured by the corporation for up to 3~~  
23 ~~years, after which time the dwelling is ineligible for coverage.~~  
24 ~~The office shall approve the method used by the corporation for~~  
25 ~~valuing the dwelling replacement cost for the purposes of this~~  
26 ~~subparagraph. If a policyholder is insured by the corporation~~  
27 ~~prior to being determined to be ineligible pursuant to this~~  
28 ~~subparagraph and such policyholder files a lawsuit challenging~~  
29 ~~the determination, the policyholder may remain insured by the~~  
30 ~~corporation until the conclusion of the litigation.~~

31 ~~5.6-~~ Effective March 1, 2007, nonhomestead property is not  
32 eligible for coverage by the corporation and is not eligible for  
33 renewal of such coverage unless the property owner provides the  
34 corporation with a sworn affidavit from one or more insurance  
35 agents, on a form provided by the corporation, stating that the  
36 agents have made their best efforts to obtain coverage and that  
37 the property has been rejected for coverage by at least one  
38 authorized insurer and at least three surplus lines insurers.

39 6. For properties constructed on or after January 1, 2009,  
40 the corporation shall not insure any property located within 500  
41 feet seaward or landward of the coastal construction control  
42 line created pursuant to s.161.053 and shall not insure any  
43 property located over 500 to 2,500 feet landward of the coastal  
44 construction control line unless the property meets the

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45 requirements of the code-plus building standards developed by  
46 the Florida Building Commission or the standards contained in  
47 the Miami-Dade Building Code pending the adoption of code-plus  
48 standards by the commission. However, this subparagraph shall  
49 not apply to properties for which a building permit has been  
50 issued on or after January 1, 2008.

51         7. It is the intent of the Legislature that policyholders,  
52 applicants, and agents of the corporation receive service and  
53 treatment of the highest possible level but never less than that  
54 generally provided in the voluntary market. It also is intended  
55 that the corporation be held to service standards no less than  
56 those applied to insurers in the voluntary market by the office  
57 with respect to responsiveness, timeliness, customer courtesy,  
58 and overall dealings with policyholders, applicants, or agents  
59 of the corporation.

60  
61

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

63         Remove line 57 and insert:  
64 circumstances; providing exceptions; deleting an exclusion from  
65 eligibility for insurance coverage by the corporation for  
66 dwellings with certain minimum replacement costs; requiring that