

By Senator Aronberg

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1 A bill to be entitled

2 An act relating to motor vehicle and casualty insurance
3 contracts; amending s. 627.728, F.S.; prohibiting an
4 insurer from conditioning the renewal of a policy upon a
5 change of limits, elimination of any coverages, or
6 increase in premium unless the insurer provides written
7 notice in advance to the insured or the insured's
8 insurance agent; requiring that the specific reason or
9 reasons for any conditioned renewal or increase in premium
10 be included in or with such notice; providing exceptions;
11 providing an effective date.

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

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15 Section 1. Present subsections (5) through (12) of section
16 627.728, Florida Statutes, are renumbered as subsections (6)
17 through (13), respectively, and a new subsection (5) is added to
18 that section, to read:

19 627.728 Cancellations; nonrenewals.--

20 (5) An insurer may not condition the renewal of a policy
21 upon a change of limits, elimination of any coverages, or payment
22 of increased premium unless the insurer, at least 45 days in
23 advance of such conditioned renewal, mails or delivers to the
24 named insured, at the address listed on the policy, and to the
25 named insured's insurance agent at her or his business address,
26 written notice of the insurer's intention to condition a renewal
27 upon a change of limits, elimination of any coverages, or payment
28 of increased premium. The specific reason or reasons for any
29 conditioned renewal or increase in premium must be included in or

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30 with the notice. This paragraph does not apply if the named
31 insured, an agent or broker authorized by the named insured, or
32 an insurer of the named insured has mailed or delivered written
33 notice to the insurer that the insured intends to cancel or not
34 to renew the policy, or that the policy has been replaced.

35 Section 2. This act shall take effect July 1, 2008.