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LEGISLATIVE ACTION

Senate

House

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Floor: WD/2R

04/22/2009 05:14 PM

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Senator Baker moved the following:

1           **Senate Amendment to Amendment (175584) (with title**  
2 **amendment)**

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4           Delete lines 563 - 569  
5 and insert:

6  
7           (i) 1. Except as otherwise specifically provided in this  
8 chapter, the office may ~~shall~~ not prohibit any insurer,  
9 including any residual market plan or joint underwriting  
10 association, from paying acquisition costs based on the full  
11 amount of premium, as defined in s. 627.403, applicable to any  
12 policy, or prohibit any such insurer from including the full



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13 amount of acquisition costs in a rate filing.

14 2. Unless specifically authorized by law, the office may  
15 not interfere, directly or indirectly, with an insurer's right  
16 to solicit, sell, promote, or otherwise acquire policyholders  
17 and implement coverage using its own lawful methodologies,  
18 systems, agents, and approach, including the calculation,  
19 manner, or amount of agent commissions, if any. This  
20 subparagraph applies only to rate filings made pursuant to this  
21 section.

22  
23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25 Delete line 1744

26 and insert:

27 F.S.; prohibiting the Office of Insurance Regulation  
28 from interfering with an insurer's lawful business  
29 practices with respect to certain applications;  
30 authorizing an insurer to make a separate filing