



921298

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/06/2009	.	
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The Committee on Banking and Insurance (Fasano) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (m) of subsection (6) of section
627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(m)1. Rates for coverage provided by the corporation shall
be actuarially sound and subject to the requirements of s.
627.062, except as otherwise provided in this paragraph. The



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12 corporation shall file its recommended rates with the office at
13 least annually. The corporation shall provide any additional
14 information regarding the rates which the office requires. The
15 office shall consider the recommendations of the board and issue
16 a final order establishing the rates for the corporation within
17 45 days after the recommended rates are filed. The corporation
18 may not pursue an administrative challenge or judicial review of
19 the final order of the office.

20 2. In addition to the rates otherwise determined pursuant
21 to this paragraph, the corporation shall impose and collect an
22 amount equal to the premium tax provided for in s. 624.509 to
23 augment the financial resources of the corporation.

24 3. After the public hurricane loss-projection model under
25 s. 627.06281 has been found to be accurate and reliable by the
26 Florida Commission on Hurricane Loss Projection Methodology,
27 that model shall serve as the minimum benchmark for determining
28 the windstorm portion of the corporation's rates. This
29 subparagraph does not require or allow the corporation to adopt
30 rates lower than the rates otherwise required or allowed by this
31 paragraph.

32 4. The rate filings for the corporation which were approved
33 by the office and which took effect January 1, 2007, are
34 rescinded, except for those rates that were lowered. As soon as
35 possible, the corporation shall begin using the lower rates that
36 were in effect on December 31, 2006, and shall provide refunds
37 to policyholders who have paid higher rates as a result of that
38 rate filing. The rates in effect on December 31, 2006, shall
39 remain in effect for the 2007, ~~and~~ 2008, and 2009 calendar years
40 except for any rate change that results in a lower rate. The



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41 next rate change that may increase rates shall take effect
42 pursuant to a new rate filing recommended by the corporation and
43 established by the office, subject to the requirements of this
44 paragraph.

45 5. Beginning on July 15, 2010 ~~2009~~, and each year
46 thereafter, the corporation must make a recommended actuarially
47 sound rate filing for each personal and commercial line of
48 business it writes, to be effective no earlier than January 1,
49 2011 ~~2010~~.

50 Section 2. This act shall take effect July 1, 2009.

51
52 ===== T I T L E A M E N D M E N T =====

53 And the title is amended as follows:

54 Delete everything before the enacting clause
55 and insert:

56 A bill to be entitled
57 An act relating to insurance; amending s. 627.351,
58 F.S.; extending the rate freeze imposed upon Citizens
59 Property Insurance Corporation by 1 year; providing an
60 effective date.