

By Senator Fasano

11-00336-09

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1                                   A bill to be entitled  
 2           An act relating to insurance; amending s. 626.9541,  
 3           F.S.; providing that an insurer's failure to offer in  
 4           this state any kind or line of insurance which it  
 5           offers in another jurisdiction constitutes an unfair  
 6           method of competition and unfair or deceptive act;  
 7           requiring that the Financial Services Commission adopt  
 8           rules; providing an effective date.

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

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 12           Section 1. Paragraph (gg) is added to subsection (1) of  
 13 section 626.9541, Florida Statutes, to read:

14           626.9541 Unfair methods of competition and unfair or  
 15 deceptive acts or practices defined.—

16           (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE  
 17 ACTS.—The following are defined as unfair methods of competition  
 18 and unfair or deceptive acts or practices:

19           (gg) *Selectively limiting insurance offerings.*—Failing to  
 20 offer in this state a kind or line of insurance which the  
 21 insurer offers in another jurisdiction. An insurer need not  
 22 offer every kind or line of insurance, or any particular kind or  
 23 line of insurance, in this state; however, if an insurer offers  
 24 a particular kind or line of insurance anywhere the insurer does  
 25 business, the insurer must offer the same kind or line in this  
 26 state. The Financial Services Commission shall adopt rules to  
 27 administer this paragraph.

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