



534308

LEGISLATIVE ACTION

Senate

House

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Floor: WD/2R

04/28/2010 11:49 AM

Senator Wise moved the following:

Senate Amendment (with title amendment)

Between lines 78 and 79

insert:

Section 2. Subsection (7) of section 627.7295, Florida Statutes, is amended to read:

627.7295 Motor vehicle insurance contracts.-

(7) A policy of private passenger motor vehicle insurance or a binder for such a policy may be initially issued in this state only if the insurer or agent has collected from the insured an amount equal to 2 months' premium. An insurer, agent, or premium finance company may not, directly or indirectly, take any action resulting in the insured having paid from the



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14 insured's own funds an amount less than the 2 months' premium
15 required by this subsection. This subsection applies without
16 regard to whether the premium is financed by a premium finance
17 company or is paid pursuant to a periodic payment plan of an
18 insurer or an insurance agent. This subsection does not apply if
19 an insured or member of the insured's family is renewing or
20 replacing a policy or a binder for such policy written by the
21 same insurer or a member of the same insurer group. This
22 subsection does not apply to an insurer that issues private
23 passenger motor vehicle coverage primarily to active duty or
24 former military personnel or their dependents. This subsection
25 does not apply if all policy payments are paid pursuant to a
26 payroll deduction plan or an automatic electronic funds transfer
27 payment plan from the policyholder, provided that the first
28 policy payment is made by cash, cashier's check, check, or a
29 money order. This subsection and subsection (4) do not apply if
30 all policy payments to an insurer are paid pursuant to an
31 automatic electronic funds transfer payment plan from an agent,
32 ~~or~~ a managing general agent, or a premium finance company and if
33 the policy includes, at a minimum, personal injury protection
34 pursuant to ss. 627.730-627.7405; motor vehicle property damage
35 liability pursuant to s. 627.7275; and bodily injury liability
36 in at least the amount of \$10,000 because of bodily injury to,
37 or death of, one person in any one accident and in the amount of
38 \$20,000 because of bodily injury to, or death of, two or more
39 persons in any one accident. This subsection and subsection (4)
40 do not apply if an insured has had a policy in effect for at
41 least 6 months, the insured's agent is terminated by the insurer
42 that issued the policy, and the insured obtains coverage on the



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43 policy's renewal date with a new company through the terminated
44 agent.

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

47 And the title is amended as follows:

48 Delete line 9

49 and insert:

50 Laws; amending s. 627.7295, F.S.; revising the
51 application of certain provisions relating to motor
52 vehicle insurance contracts; amending ss. 668.50 and
53 671.304, F.S.;