

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Legg offered the following:

Amendment (with directory and title amendments)

Between lines 391 and 392, insert:

(11) (a) The association shall not be liable for any:

1. Civil action under s. 624.155 arising from any acts alleged to have been committed by a member insurer prior to its liquidation; or

2. Costs, attorney fee claims, or judgments arising from any preliquidation actions or practices of a member insurer when such claims can be filed with the ancillary or domiciliary receiver as claims against the estate of the liquidated insurer under part I of this chapter, the Uniform Insurers Liquidation Act, or similar reciprocal provisions. This subparagraph is remedial and procedural and applicable to every rehabilitation and liquidation regardless of the date of inception.

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17 (b) ~~however,~~ This subsection does not affect the
 18 association's obligation to pay valid insurance claims after its
 19 independent review of the policies, contracts, and claims
 20 presented to it. Further, the association may also be subject to
 21 payment of attorney fees on such claims pursuant to part II of
 22 chapter 627.

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 26 **D I R E C T O R Y A M E N D M E N T**

27 Remove lines 376-377 and insert:

28 Section 7. Subsections (9) and (11) of section 631.717,
 29 Florida Statutes, are amended, and paragraph (g) is added to
 30 subsection

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 32 -----
 33 **T I T L E A M E N D M E N T**

34 Remove line 45 and insert:

35 insurance and deferred annuity contracts; specifying an
 36 additional absence of association liability for certain costs,
 37 attorney fee claims, or judgments; providing construction and
 38 applicability to rehabilitations and liquidations, regardless of
 39 date of inception; revising provisions preserving an
 40 association's obligations to pay certain claims and attorney
 41 fees; authorizing an