



261954

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/26/2011	.	
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The Committee on Budget (Richter) recommended the following:

Senate Amendment (with title amendment)

Between lines 142 and 143
insert:

(6) Following the negotiation and execution of any cooperative reciprocal agreement entered into by the Department of Financial Services and the Office of Insurance Regulation with another state or group of states, the department shall prepare and submit a report to the President of the Senate and the Speaker of the House of Representatives by January 1, 2012. In addition to describing in detail the terms of any agreement entered into with another state or group of states pursuant to this section, the report must include, but need not be limited



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14 to:

15 (a) The actual and projected collections and allocation of
16 nonadmitted insurance premium taxes for multistate risk of each
17 state participating in the agreement;

18 (b) A detailed description of the administrative structure
19 supporting any agreement, including any clearinghouse created by
20 an agreement, and the fees charged to support administration of
21 the agreement;

22 (c) The insurance tax rates of any state participating in
23 the agreement; and

24 (d) The status of any other cooperative reciprocal
25 agreements established throughout the country, including a
26 state-by-state listing of passed or pending legislation
27 responding to changes made by the federal Nonadmitted and
28 Reinsurance Reform Act of 2010.

29 (7) This section expires January 1, 2012, if by that date
30 the Department of Financial Services and the Office of Insurance
31 Regulation have not entered into any cooperative reciprocal
32 agreement pursuant to this section.

33 (8) This section expires June 30, 2012, if any cooperative
34 reciprocal agreement entered into by the Department of Financial
35 Services and the Office of Insurance Regulation pursuant to this
36 section as of January 1, 2012, is not ratified prior to June 30,
37 2012, by both houses of the Legislature by a majority vote of
38 the members present. If the Legislature does not ratify the
39 agreement, the Chief Financial Officer and the Office of
40 Insurance Regulation shall withdraw from the agreement, pursuant
41 to any notice provisions required by the agreement.

42 (9) Beginning in 2013, the Department of Financial



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43 Services, in cooperation with the Office of Insurance Regulation
44 and the Florida Surplus Lines Office, shall by January 1 of each
45 year submit a report to the Governor, the President of the
46 Senate, and the Speaker of the House of Representatives
47 regarding any cooperative reciprocal agreement entered into with
48 another state or group of states under this section. Each annual
49 report must include, but need not be limited to, actual and
50 projected collections and allocation of nonadmitted insurance
51 premium taxes for multistate risk of each state participating in
52 the agreement, administrative costs and fees of the agreement,
53 the insurance tax rates of any state participating in the
54 agreement, the status of any other cooperative reciprocal
55 agreements established throughout the country, including a
56 state-by-state listing of passed or pending legislation
57 responding to changes made by the federal Nonadmitted and
58 Reinsurance Reform Act of 2010, and a detailed discussion of any
59 changes or proposed changes in the provisions of the agreement
60 or the rules under which the agreement operates.

61
62 ===== T I T L E A M E N D M E N T =====

63 And the title is amended as follows:

64 Delete line 24

65 and insert:

66 application; requiring the Department of Financial
67 services to report to the Legislature; providing
68 criteria for the report; providing for future
69 expiration of certain provisions if no cooperative
70 reciprocal agreements are entered into; providing for
71 future expiration or such provisions if a cooperative



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72 reciprocal agreement is not ratified by the
73 Legislature; requiring the department, the office, and
74 the Florida Surplus Lines Office to submit an annual
75 report to the Governor and Legislature regarding any
76 cooperative reciprocal agreement; providing criteria;
77 amending s. 626.938, F.S.; requiring