



205362

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
12/07/2011	.	
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The Committee on Banking and Insurance (Fasano) recommended the following:

Senate Amendment (with title amendment)

Between lines 353 and 354

insert:

Section 2. Section 631.52, Florida Statutes, is amended to read:

631.52 Scope.—This part applies ~~shall apply~~ to all kinds of direct insurance, except:

(1) Life, annuity, health, or disability insurance.†

(2) Mortgage guaranty, financial guaranty, or other forms of insurance offering protection against investment risks.†

(3) Fidelity or surety bonds, or any other bonding



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13 obligations.~~†~~

14 (4) Credit insurance, vendors' single interest insurance,
15 or collateral protection insurance or ~~any~~ similar insurance
16 protecting the interests of a creditor arising out of a
17 creditor-debtor transaction.~~†~~

18 (5) Warranty, including motor vehicle service, home
19 warranty, or service warranty.~~†~~

20 (6) Ambulance service, health care service, or preneed
21 funeral merchandise or service.~~†~~

22 (7) Optometric service plan, pharmaceutical service plan,
23 or dental service plan.~~†~~

24 (8) Legal expense.~~†~~

25 (9) Health maintenance, prepaid health clinic, or
26 continuing care.~~†~~

27 (10) Ocean marine or wet marine insurance.~~†~~

28 (11) Self-insurance and any kind of self-insurance fund,
29 liability pool, or risk management fund.~~†~~

30 (12) Title insurance.~~†~~

31 (13) Surplus lines, except for an insurance policy that is
32 part of a depopulation, take-out, or keep-out program pursuant
33 to s. 627.351.~~†~~

34 (14) Workers' compensation, including claims under employer
35 liability coverage.~~†~~

36 (15) Any transaction or combination of transactions between
37 a person, including affiliates of such person, and an insurer,
38 including affiliates of the ~~such~~ insurer, which involves the
39 transfer of investment or credit risk unaccompanied by the
40 transfer of insurance risk.~~†~~~~or~~

41 (16) Any insurance provided by or guaranteed by government.



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

And the title is amended as follows:

Delete line 20

and insert:

file's public record status; amending s. 631.52, F.S.;
providing that certain types of surplus lines
insurance are subject to the Florida Insurance
Guaranty Association; providing an effective