



899444

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2013	.	
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Appropriations Subcommittee on General Government (Detert)
recommended the following:

Senate Amendment

Delete lines 1104 - 1153
and insert:

d. Upon a determination by the executive director, with the concurrence of the board of governors, that a projected deficit in an account exceeds the amount that is expected to be recovered through regular assessments under sub-subparagraph a., plus the amount that is expected to be recovered through policyholder surcharges under sub-subparagraph i., the executive director, with concurrence by the board, after verification by the office, shall levy emergency assessments for as many years



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13 as necessary to cover the deficits, to be collected by
14 assessable insurers and the corporation and collected from
15 assessable insureds upon issuance or renewal of policies for
16 subject lines of business, excluding National Flood Insurance
17 policies. The executive director shall notify the Financial
18 Services Commission of the emergency assessments within 5 days
19 after the board's concurrence with the executive director's
20 determination that such assessments are necessary. The amount
21 collected in a particular year must be a uniform percentage of
22 that year's direct written premium for subject lines of business
23 and all accounts of the corporation, excluding National Flood
24 Insurance Program policy premiums, as annually determined by the
25 executive director, with concurrence by the board, and verified
26 by the office. The office shall verify the arithmetic
27 calculations involved in the board's determination within 30
28 days after receipt of the information on which the determination
29 was based. The office shall notify assessable insurers and the
30 Florida Surplus Lines Service Office of the date on which
31 assessable insurers shall begin to collect and assessable
32 insureds shall begin to pay such assessment. The date must be at
33 least ~~may be not less than~~ 90 days after the date the
34 corporation levies emergency assessments pursuant to this sub-
35 subparagraph. Notwithstanding any other provision of law, the
36 corporation and each assessable insurer that writes subject
37 lines of business shall collect emergency assessments from its
38 policyholders without such obligation being affected by any
39 credit, limitation, exemption, or deferment. Emergency
40 assessments levied by the corporation on assessable insureds
41 shall be collected by the surplus lines agent at the time the



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42 surplus lines agent collects the surplus lines tax required by
43 s. 626.932 and paid to the Florida Surplus Lines Service Office
44 at the time the surplus lines agent pays the surplus lines tax
45 to that office. The emergency assessments collected shall be
46 transferred directly to the corporation on a periodic basis as
47 determined by the corporation and held by the corporation solely
48 in the applicable account. The aggregate amount of emergency
49 assessments levied for an account ~~under this sub-subparagraph~~ in
50 any calendar year may be less than but not exceed the greater of
51 10 percent of the amount needed to cover the deficit, plus
52 interest, fees, commissions, required reserves, and other costs
53 associated with financing the original deficit, or 10 percent of
54 the aggregate statewide direct written premium for subject lines
55 of business and all accounts of the corporation for the prior
56 year, plus interest, fees, commissions, required reserves, and
57 other costs associated with financing the deficit.