

By the Committee on Banking and Insurance

597-03437-13

20131850\_\_

1                   A bill to be entitled  
2           An act relating to public records; amending s.  
3           627.3518, F.S.; providing an exemption from public  
4           records requirements for all underwriting guidelines,  
5           manuals, rating information, and other underwriting  
6           criteria or instructions submitted by an insurer to  
7           the corporation's policyholder eligibility  
8           clearinghouse program which are used to identify and  
9           select risks from the program; providing for future  
10          review and repeal; providing a statement of public  
11          necessity; providing a contingent effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15           Section 1. Subsection (11) is added to section 627.3518,  
16           Florida Statutes, as created by SB 1770 or similar legislation,  
17           2013 Regular Session, to read:

18           627.3518 Citizens Property Insurance Corporation  
19           clearinghouse.—

20           (11) Underwriting guidelines, manuals, rating information,  
21           and other underwriting criteria or instructions submitted by an  
22           insurer to the corporation's clearinghouse which are used to  
23           identify and select risks from the clearinghouse are  
24           confidential and exempt from s. 119.07(1) and s. 24(a), Art. I  
25           of the State Constitution. This subsection is subject to the  
26           Open Government Sunset Review Act in accordance with s. 119.15  
27           and shall stand repealed on October 2, 2018, unless reviewed and  
28           saved from repeal through reenactment by the Legislature.

29           Section 2. The Legislature finds and declares that it is a

597-03437-13

20131850

30 public necessity that underwriting guidelines, manuals, rating  
31 information, and other underwriting criteria or instructions  
32 submitted by an insurer to the Citizens Property Insurance  
33 Corporation's clearinghouse which are used to identify and  
34 select risks from the clearinghouse be made confidential and  
35 exempt from s. 119.07(1), Florida Statutes, and s. 24(a),  
36 Article I of the State Constitution. The program will facilitate  
37 obtaining offers of coverage from authorized insurers for new  
38 applicants for insurance coverage with the corporation and for  
39 policyholders seeking to renew existing insurance coverage with  
40 the corporation. Obtaining offers of coverage from authorized  
41 insurers through the clearinghouse will provide more choices for  
42 consumers and reduce the corporation's exposure and potential  
43 for imposing assessments on its policyholders and policyholders  
44 in the private market. In order for the program to efficiently  
45 determine whether there are authorized insurers interested in  
46 making an offer of coverage for a particular risk, a substantial  
47 amount of detailed data from participating insurers must be  
48 provided to the program. Public disclosure of the detailed data  
49 could result in a substantial chilling effect on insurer  
50 participation in the program and thereby undermine the program's  
51 success.

52 Section 3. This act shall take effect on the same date that  
53 SB 1770 or similar legislation creating s. 627.3518, Florida  
54 Statutes, the Citizen's Property Insurance Corporation  
55 clearinghouse, takes effect, if such legislation is adopted in  
56 the same legislative session or an extension thereof and becomes  
57 law.