

Amendment No. 21

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Regulatory Affairs
 2 Committee

3 Representative Santiago offered the following:

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 5 **Amendment (with title amendment)**

6 Between lines 1968 and 1969, insert:

7 Section 51. Subsection (11) of section 631.717, Florida
 8 Statutes, is amended to read:

9 631.717 Powers and duties of the association.—

10 (11) The association shall not be liable for any civil
 11 action under s. 624.155 arising from any acts alleged to have
 12 been committed by a member insurer prior to its liquidation.
 13 ~~This subsection does not affect the association's obligation to~~
 14 ~~pay valid insurance policy or contract claims if warranted after~~
 15 ~~its independent de novo review of the policies, contracts, and~~
 16 ~~claims presented to it, whether domestic or foreign, after a~~
 17 ~~Florida domestic rehabilitation or a liquidation.~~

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18 Section 52. Section 631.737, Florida Statutes, is amended
19 to read:

20 631.737 Rescission and review generally.—The association
21 shall review claims and matters regarding covered policies based
22 upon the record available to it on and after the date of
23 liquidation. Notwithstanding any other provision of this part,
24 to allow for orderly claims administration by the association,
25 entry of a liquidation order by a court of competent
26 jurisdiction shall be deemed to toll for 1 year any rescission
27 or noncontestable period allowed by the contract, the policy, or
28 by law. The association's obligation shall be to pay valid
29 insurance policy or contract claims if warranted after its
30 independent de novo review of the policies, contracts and claims
31 presented to it, whether domestic or foreign, after a
32 rehabilitation or a liquidation.

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37 **T I T L E A M E N D M E N T**

38 Remove line 191 and insert:
39 definition; amending s. 631.717, F.S.; removing a provision
40 relating to the obligation of the Florida Life and Health
41 Insurance Guaranty Association to pay insurance policy or
42 contract claims; amending s. 631.737, F.S.; requiring the
43 Florida Life and Health Insurance Guaranty Association to pay

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 565 (2014)

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44 | certain insurance policy or contract claims after a review;
45 | amending s. 634.406, F.S.; revising

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