

By Senator Bradley

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1 A bill to be entitled
2 An act relating to insurance policy documents;
3 amending s. 627.421, F.S.; authorizing a policyholder
4 of personal lines insurance to elect delivery of
5 policy documents by electronic means; amending s.
6 627.43141, F.S.; revising the requirements applicable
7 to insurers when providing a notice of change in
8 renewal policy terms to allow such notice to be sent
9 separately from the notice of renewal premium within a
10 specified timeframe; requiring the insurer to provide
11 a sample copy of the notice of change in renewal
12 policy terms to the insurance agent at a specified
13 time; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Subsection (1) of section 627.421, Florida
18 Statutes, is amended to read:

19 627.421 Delivery of policy.—

20 (1) Subject to the insurer's requirement as to payment of
21 premium, every policy shall be mailed, delivered, or
22 electronically transmitted to the insured or to the person
23 entitled thereto within not later than 60 days after the
24 effectuation of coverage. Notwithstanding any other provision of
25 law, an insurer may allow a policyholder of personal lines
26 insurance to affirmatively elect delivery of the policy
27 documents, including, but not limited to, policies,
28 endorsements, notices, or documents, by electronic means in lieu
29 of delivery by mail. Electronic transmission of a policy for

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30 commercial risks, including, but not limited to, workers'
 31 compensation and employers' liability, commercial automobile
 32 liability, commercial automobile physical damage, commercial
 33 lines residential property, commercial nonresidential property,
 34 farmowners insurance, and the types of commercial lines risks
 35 specified ~~set forth~~ in s. 627.062(3)(d), constitutes ~~shall~~
 36 ~~constitute~~ delivery to the insured or to the person entitled to
 37 delivery, unless the insured or the person entitled to delivery
 38 communicates to the insurer in writing or electronically that he
 39 or she does not agree to delivery by electronic means.

40 Electronic transmission must ~~shall~~ include a notice to the
 41 insured or to the person entitled to delivery of a policy of his
 42 or her right to receive the policy via United States mail rather
 43 than via electronic transmission. A paper copy of the policy
 44 shall be provided to the insured or to the person entitled to
 45 delivery at his or her request.

46 Section 2. Subsection (2) of section 627.43141, Florida
 47 Statutes, is amended to read:

48 627.43141 Notice of change in policy terms.—

49 (2) A renewal policy may contain a change in policy terms.
 50 If a ~~renewal policy does contain~~ such change occurs, the insurer
 51 shall ~~must~~ give the named insured advance written notice of the
 52 change, which may ~~must~~ be enclosed ~~along~~ with the written notice
 53 of renewal premium required under ~~by~~ ss. 627.4133 and 627.728 or
 54 sent separately within the timeframe required under the Florida
 55 Insurance Code for the provision of a notice of nonrenewal to
 56 the named insured for that line of insurance. The insurer must
 57 also provide a sample copy of the notice to the named insured's
 58 insurance agent before or at the same time that notice is

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59 provided to the named insured. Such notice shall be entitled
60 "Notice of Change in Policy Terms."

61 Section 3. This act shall take effect July 1, 2015.