

1 A bill to be entitled
 2 An act relating to insurance; amending s. 627.421,
 3 F.S.; authorizing a policyholder of personal lines
 4 insurance to affirmatively elect delivery of policy
 5 documents by electronic means; amending s. 627.43141,
 6 F.S.; authorizing a notice of change in policy terms
 7 to be sent in a separate mailing to an insured under
 8 certain circumstances; providing an effective date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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

14 627.421 Delivery of policy.—

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

24 Electronic transmission of a policy for commercial risks,
 25 including, but not limited to, workers' compensation and
 26 employers' liability, commercial automobile liability,

27 commercial automobile physical damage, commercial lines
 28 residential property, commercial nonresidential property,
 29 farmowners insurance, and the types of commercial lines risks
 30 set forth in s. 627.062(3)(d), constitutes ~~shall constitute~~
 31 delivery to the insured or to the person entitled to delivery,
 32 unless the insured or the person entitled to delivery
 33 communicates to the insurer in writing or electronically that he
 34 or she does not agree to delivery by electronic means.
 35 Electronic transmission must ~~shall~~ include a notice to the
 36 insured or to the person entitled to delivery of a policy of his
 37 or her right to receive the policy via United States mail rather
 38 than via electronic transmission. A paper copy of the policy
 39 shall be provided to the insured or to the person entitled to
 40 delivery at his or her request.

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

43 627.43141 Notice of change in policy terms.—

44 (2) A renewal policy may contain a change in policy terms.
 45 If a renewal policy contains ~~does contain~~ such change, the
 46 insurer must give the named insured written notice of the
 47 change, which may ~~must~~ be enclosed along with the written notice
 48 of renewal premium required by ss. 627.4133 and 627.728 or be
 49 sent in a separate notice that complies with the nonrenewal
 50 mailing time requirement for that particular line of business.
 51 The insurer must also provide a sample copy of the notice to the
 52 insured's insurance agent before or at the same time that notice

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53 | is provided to the insured. Such notice shall be entitled
54 | "Notice of Change in Policy Terms."
55 | Section 3. This act shall take effect July 1, 2015.