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LEGISLATIVE ACTION

Senate

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House

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Senator Diaz de la Portilla moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (b) of subsection (3) of section  
626.916, Florida Statutes, is amended to read:

626.916 Eligibility for export.—

(3)

(b) Paragraphs (1) (a)-(d) do not apply to commercial lines  
residential coverage as described in s. 627.4025 or to classes  
of insurance which are subject to s. 627.062(3) (d)1. These



12 classes may be exportable under the following conditions:

- 13       1. The insurance must be placed only by or through a  
14 surplus lines agent licensed in this state;
- 15       2. The insurer must be made eligible under s. 626.918; and
- 16       3. The insured must sign a disclosure that substantially  
17 provides the following: "You are agreeing to place coverage in  
18 the surplus lines market. Superior coverage may be available in  
19 the admitted market and at a lesser cost. Persons insured by  
20 surplus lines carriers are not protected under the Florida  
21 Insurance Guaranty Act with respect to any right of recovery for  
22 the obligation of an insolvent unlicensed insurer." If the  
23 notice is signed by the insured, the insured is presumed to have  
24 been informed and to know that other coverage may be available,  
25 and, with respect to the diligent-effort requirement under  
26 subsection (1), there is no liability on the part of, and no  
27 cause of action arises against, the retail agent presenting the  
28 form.

29       Section 2. This act shall take effect July 1, 2016.

30  
31 ===== T I T L E   A M E N D M E N T =====

32 And the title is amended as follows:

33       Delete everything before the enacting clause  
34 and insert:

35                           A bill to be entitled  
36       An act relating to insurance practices; amending s.  
37       626.916, F.S.; revising conditions for export  
38       eligibility of commercial lines residential coverage;  
39       providing an effective date.