

By the Committee on Banking and Insurance; and Senator Montford

597-02309-16

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1                   A bill to be entitled  
2           An act relating to liability insurance coverage;  
3           amending s. 627.4137, F.S.; adding company employee  
4           adjusters to the list of persons who may respond to a  
5           claimant's written request for information relating to  
6           liability insurance coverage; requiring a company  
7           employee adjuster who provides a specified statement  
8           to consult with certain personnel within the company  
9           to verify information disclosed in the statement;  
10          providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Subsection (1) of section 627.4137, Florida  
15 Statutes, is amended to read:

16           627.4137 Disclosure of certain information required.-

17           (1) Each insurer that provides ~~which does~~ or may provide  
18 liability insurance coverage to pay all or a portion of a ~~any~~  
19 claim that ~~which~~ might be made shall provide, within 30 days  
20 after ~~of~~ the written request of the claimant, a statement, under  
21 oath, of a corporate officer, ~~or~~ the insurer's claims manager or  
22 superintendent, or a company employee adjuster setting forth the  
23 following information with regard to each known policy of  
24 insurance, including excess or umbrella insurance:

25           (a) The name of the insurer.

26           (b) The name of each insured.

27           (c) The limits of the liability coverage.

28           (d) A statement of any policy or coverage defense that the  
29 ~~which such~~ insurer reasonably believes is available to the ~~such~~  
30 insurer at the time of filing such statement.

31           (e) A copy of the policy.  
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33 If the person providing the statement required under this  
34 subsection is the company employee adjuster, the adjuster must  
35 consult with the appropriate personnel in the company's  
36 underwriting department and claims department to verify the  
37 information disclosed in the statement. In addition, the  
38 insured, or her or his insurance agent, upon written request of  
39 the claimant or the claimant's attorney, shall disclose the name  
40 and coverage of each known insurer to the claimant and shall  
41 forward such request for information as required by this  
42 subsection to all affected insurers. The insurer shall then  
43 supply the information required in this subsection to the  
44 claimant within 30 days after ~~of~~ receipt of such request.

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