

By the Committee on Commerce and Tourism; and Senator Mayfield

577-03937-17

20171032c1

1 A bill to be entitled  
 2 An act relating to unfair insurance trade practices;  
 3 amending s. 626.9541, F.S.; revising provisions to  
 4 permit a licensed insurer or its agent, a title  
 5 insurance agent, a title insurance agency, or a title  
 6 insurer to give advertising or promotional items of  
 7 less than specified values; providing that licensed  
 8 insurers and their agents are not prohibited from  
 9 making specified charitable contributions on behalf of  
 10 insureds or prospective insureds; providing an  
 11 effective date.

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

14  
 15 Section 1. Paragraph (m) of subsection (1) of section  
 16 626.9541, Florida Statutes, is amended to read:

17 626.9541 Unfair methods of competition and unfair or  
 18 deceptive acts or practices defined.—

19 (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE  
 20 ACTS.—The following are defined as unfair methods of competition  
 21 and unfair or deceptive acts or practices:

22 (m) Advertising and promotional gifts and charitable  
 23 contributions permitted.—No provision of paragraph (f),  
 24 paragraph (g), or paragraph (h) shall be deemed to prohibit:

25 1. A licensed insurer or its agent from:

26 a. Giving to insureds, prospective insureds, and others,  
 27 for the purpose of advertising, any article of merchandise,  
 28 goods, wares, gift cards, gift certificates, event tickets, and  
 29 other items with a total value of \$100 or less per customer or

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30 prospective customer within 1 calendar year ~~having a value of~~  
31 ~~not more than \$25.~~

32 b. Making charitable contributions, as defined in s. 170(c)  
33 of the Internal Revenue Code, up to \$100 per calendar year on  
34 behalf of each insured or prospective insured.

35 2. A title insurance agent or title insurance agency, as  
36 those terms are defined in s. 626.841, or a title insurer, as  
37 defined in s. 627.7711, from giving to insureds, prospective  
38 insureds, and others, for the purpose of advertising, any  
39 article of merchandise having a value of not more than \$25.

40 Section 2. This act shall take effect July 1, 2017.