

1 A bill to be entitled
 2 An act relating to commercial lines residential
 3 coverage; amending s. 626.916, F.S.; providing
 4 conditions under which specified commercial lines
 5 residential coverage is exportable; providing an
 6 effective date.

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

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 10 Section 1. Paragraph (b) of subsection (3) of section
 11 626.916, Florida Statutes, is amended to read:

12 626.916 Eligibility for export.—

13 (3)

14 (b) Paragraphs (1)(a)-(d) do not apply to commercial lines
 15 residential coverage as defined in s. 627.4025 or to classes of
 16 insurance which are subject to s. 627.062(3)(d)1. These
 17 coverages and classes are ~~may be~~ exportable under the following
 18 conditions:

- 19 1. The insurance must be placed only by or through a
- 20 surplus lines agent licensed in this state;
- 21 2. The insurer must be made eligible under s. 626.918; and
- 22 3. The insured must sign a disclosure that substantially
- 23 provides the following: "You are agreeing to place coverage in
- 24 the surplus lines market. Superior coverage may be available in
- 25 the admitted market and at a lesser cost. Persons insured by

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26 surplus lines carriers are not protected under the Florida
27 Insurance Guaranty Act with respect to any right of recovery for
28 the obligation of an insolvent unlicensed insurer." If the
29 notice is signed by the insured, the insured is presumed to have
30 been informed and to know that other coverage may be available,
31 and, with respect to the diligent-effort requirement under
32 subsection (1), there is no liability on the part of, and no
33 cause of action arises against, the retail agent presenting the
34 form.

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