



757906

LEGISLATIVE ACTION

Senate	.	House
	.	
	.	
Floor: 1/AD/2R	.	Floor: SENA1/C
05/03/2017 10:22 AM	.	05/05/2017 01:12 PM
	.	

Senator Broxson moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

631.713 Application of part.—

(3) This part does not apply to:

(1) Any annuity contract or group annuity contract that is
not issued to and owned by an individual, except to the extent
of any annuity benefits.



757906

12 1. Guaranteed directly and not through an intermediary to
13 an individual by an insurer under such contract or certificate;

14 2. Under an annuity issued by an insurer under 26 U.S.C. s.
15 408(b); or

16 3. Under an annuity issued by an insurer and held by a
17 custodian or trustee in accordance with 26 U.S.C. s. 408(a).

18
19 This paragraph applies to every insolvency regardless of its
20 date of inception, and an assessment base may not include
21 premiums for such excluded products.

22 Section 2. Subsection (9) of section 631.717, Florida
23 Statutes, is amended to read:

24 631.717 Powers and duties of the association.—

25 (9) The association's liability for the contractual
26 obligations of the insolvent insurer must ~~shall~~ be as great as,
27 but no greater than, the contractual obligations of the insurer
28 in the absence of such insolvency, unless such obligations are
29 reduced as permitted by subsection (4), but the aggregate
30 liability of the association with respect to one life shall not
31 exceed the following:

32 (a) For life insurance, \$100,000 in net cash surrender and
33 net cash withdrawal values. ~~for life insurance,~~

34 (b) For deferred annuity contracts, \$250,000 in net cash
35 surrender and net cash withdrawal values. ~~for deferred annuity~~
36 ~~contracts, or~~

37 (c) For all benefits, \$300,000, ~~for all benefits~~ including
38 cash values, except as provided in paragraph (d) ~~with respect to~~
39 ~~any one life.~~

40 (d) Effective January 1, 2020, for basic hospital expense



757906

41 health insurance policies, basic medical-surgical health
42 insurance policies, or major medical expense health insurance
43 policies, but not including long-term care policies, \$500,000.
44

45 In no event is ~~shall~~ the association ~~be~~ liable for any penalties
46 or interest.

47 Section 3. This act shall take effect July 1, 2017.

48

49 ===== T I T L E A M E N D M E N T =====

50 And the title is amended as follows:

51 Delete everything before the enacting clause

52 and insert:

53

A bill to be entitled

54 An act relating to the Florida Life and Health
55 Insurance Guaranty Association; amending s. 631.713,
56 F.S.; revising applicability of the Florida Life and
57 Health Insurance Guaranty Association Act as to
58 specified annuity contracts; amending s. 631.717,
59 F.S.; revising the association's maximum aggregate
60 liability for the contractual obligations of an
61 insolvent insurer with respect to one life; specifying
62 the association's maximum liability as to certain
63 health insurance policies beginning on a specified
64 date; providing an effective date.