

1                                   A bill to be entitled  
 2           An act relating to unfair insurance trade practices;  
 3           amending s. 626.9541, F.S.; authorizing insurers to  
 4           refuse to insure or refuse to continue to insure an  
 5           applicant or insured for failing to purchase certain  
 6           noninsurance motor vehicle services; providing an  
 7           effective date.

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

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 11           Section 1. Paragraph (x) of subsection (1) of section  
 12           626.9541, Florida Statutes, is amended to read:

13           626.9541 Unfair methods of competition and unfair or  
 14           deceptive acts or practices defined.—

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

18           (x) *Refusal to insure.*—In addition to other provisions of  
 19           this code, the refusal to insure, or continue to insure, any  
 20           individual or risk solely because of:

21           1. Race, color, creed, marital status, sex, or national  
 22           origin;

23           2. The residence, age, or lawful occupation of the  
 24           individual or the location of the risk, unless there is a  
 25           reasonable relationship between the residence, age, or lawful

26 | occupation of the individual or the location of the risk and the  
27 | coverage issued or to be issued;

28 |         3. The insured's or applicant's failure to agree to place  
29 | collateral business with any insurer, unless the coverage  
30 | applied for would provide liability coverage which is excess  
31 | over that provided in policies maintained on property or motor  
32 | vehicles;

33 |         4. The insured's or applicant's failure to purchase  
34 | noninsurance services or commodities, including motor vehicle  
35 | ~~automobile~~ services as defined in s. 624.124 except for motor  
36 | vehicle services purchased from a membership organization that,  
37 | since January 1, 2018, has more than 1 million members in this  
38 | state and is affiliated with an admitted insurer;

39 |         5. The fact that the insured or applicant is a public  
40 | official; or

41 |         6. The fact that the insured or applicant had been  
42 | previously refused insurance coverage by any insurer, when such  
43 | refusal to insure or continue to insure for this reason occurs  
44 | with such frequency as to indicate a general business practice.

45 |         Section 2. This act shall take effect July 1, 2018.