

ENROLLED

CS/HB 533, Engrossed 1

2018 Legislature

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An act relating to unfair insurance trade practices; amending s. 626.9541, F.S.; authorizing insurers to refuse to insure or refuse to continue to insure an applicant or insured for failing to purchase certain noninsurance motor vehicle services; providing an effective date.

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

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

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

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

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

1. Race, color, creed, marital status, sex, or national origin;
2. The residence, age, or lawful occupation of the individual or the location of the risk, unless there is a reasonable relationship between the residence, age, or lawful

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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 | as of January 1, 2018, is affiliated with an admitted property
38 | and casualty 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.