

By Senator Grimsley

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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

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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.