

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Insurance & Banking  
 2 Subcommittee

3 Representative Clemons offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (b) of subsection (9) of section  
 8 501.0051, Florida Statutes, is amended to read:

9 501.0051 Protected consumer report security freeze.-

10 (9)

11 (b) A consumer reporting agency may not charge to a  
 12 ~~reasonable fee, not to exceed \$10, if the representative fails~~  
 13 ~~to retain the original unique personal identifier provided by~~  
 14 ~~the consumer reporting agency and the agency must~~ reissue the  
 15 unique personal identifier or provide a new unique personal  
 16 identifier to the consumer ~~representative~~.

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17 Section 2. Paragraph (b) of subsection (10) of section  
18 624.307, Florida Statutes, is amended to read:

19 624.307 General powers; duties.—

20 (10)

21 (b) Any entity ~~person~~ licensed or issued a certificate of  
22 authority by the department or the office shall respond, in  
23 writing, to the division within 20 days after receipt of a  
24 written request for documents and information from the division  
25 concerning a consumer complaint. The response must address the  
26 issues and allegations raised in the complaint and include any  
27 requested documents concerning the consumer complaint not  
28 subject to attorney-client privilege. The division may impose an  
29 administrative penalty for failure to comply with this paragraph  
30 of up to \$2,500 per violation upon any entity licensed by the  
31 department or the office ~~and \$250 for the first violation, \$500~~  
32 ~~for the second violation, and up to \$1,000 for the third or~~  
33 ~~subsequent violation upon any individual licensed by the~~  
34 ~~department or the office.~~

35 Section 3. Present subsection (9) of section 626.112,  
36 Florida Statutes, is redesignated as subsection (10), a new  
37 subsection (9) is added to that section, and paragraph (d) of  
38 subsection (7) and present subsection (9) of that section are  
39 amended, to read:

40 626.112 License and appointment required; agents, customer  
41 representatives, adjusters, insurance agencies, service

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42 representatives, managing general agents, insurance adjusting  
43 firms.—

44 (7)

45 ~~(d) Effective October 1, 2015, the department must~~  
46 ~~automatically convert the registration of an approved registered~~  
47 ~~insurance agency to an insurance agency license.~~

48 (9) (a) An individual, firm, partnership, corporation,  
49 association, or other entity may not act in its own name or  
50 under a trade name, directly or indirectly, as an adjusting firm  
51 unless it complies with s. 626.8696 with respect to possessing  
52 an adjusting firm license for each place of business at which it  
53 engages in an activity that may be performed only by a licensed  
54 insurance adjuster. However, an adjusting firm that is owned and  
55 operated by a single licensed adjuster conducting business in  
56 his or her individual name and not employing or otherwise using  
57 the services of or appointing other licensees is exempt from the  
58 adjusting firm licensing requirements of this subsection.

59 (b) A branch place of business that is established by a  
60 licensed adjusting firm is considered a branch firm and is not  
61 required to be licensed if:

62 1. It transacts business under the same name and federal  
63 tax identification number as the licensed adjusting firm;

64 2. It has designated with the department a primary  
65 adjuster operating the location as required by s. 626.8695; and

66 3. The address and telephone number of the branch location

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67 have been submitted to the department for inclusion in the  
68 licensing record of the licensed adjusting firm within 30 days  
69 after insurance transactions begin at the branch location.

70 (c) If an adjusting firm is required to be licensed, but  
71 fails to file an application for licensure in accordance with  
72 this section, the department shall impose on the firm an  
73 administrative penalty of up to \$10,000.

74 (10)-(9) Any person who knowingly transacts insurance or  
75 otherwise engages in insurance activities in this state without  
76 a license in violation of this section or who knowingly aids or  
77 abets an unlicensed person in transacting insurance or otherwise  
78 engaging in insurance activities in this state without a license  
79 commits a felony of the third degree, punishable as provided in  
80 s. 775.082, s. 775.083, or s. 775.084.

81 Section 4. Subsection (4) is added to section 626.602,  
82 Florida Statutes, to read:

83 626.602 Insurance agency names; disapproval.—The  
84 department may disapprove the use of any true or fictitious  
85 name, other than the bona fide natural name of an individual, by  
86 any insurance agency on any of the following grounds:

87 (4) The name contains the word "Medicare" or "Medicaid."  
88 An insurance agency whose name contains the word "Medicare" or  
89 "Medicaid" but which is licensed as of July 1, 2020, may  
90 continue to use that name as long as the agency's license is  
91 valid. If the agency's license expires or is suspended or

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92 revoked, the agency may not be relicensed using that name.

93 Section 5. Subsections (16) and (17) are added to section  
94 626.621, Florida Statutes, to read:

95 626.621 Grounds for discretionary refusal, suspension, or  
96 revocation of agent's, adjuster's, customer representative's,  
97 service representative's, or managing general agent's license or  
98 appointment.—The department may, in its discretion, deny an  
99 application for, suspend, revoke, or refuse to renew or continue  
100 the license or appointment of any applicant, agent, adjuster,  
101 customer representative, service representative, or managing  
102 general agent, and it may suspend or revoke the eligibility to  
103 hold a license or appointment of any such person, if it finds  
104 that as to the applicant, licensee, or appointee any one or more  
105 of the following applicable grounds exist under circumstances  
106 for which such denial, suspension, revocation, or refusal is not  
107 mandatory under s. 626.611:

108 (16) Permitting the personal financial or medical  
109 information of a consumer or customer to be made available or  
110 accessible to the general public, regardless of the format in  
111 which the record is stored.

112 (17) Initiating in-person or telephone solicitation after  
113 9 p.m. or before 8 a.m. local time of the prospective customer  
114 unless requested by the prospective customer.

115 Section 6. Section 626.782, Florida Statutes, is amended  
116 to read:

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117           626.782 "Industrial class insurer" defined.—An "industrial  
118 class insurer" is an insurer collecting premiums on policies of  
119 ~~writing~~ industrial life insurance, as defined in s. 627.502,  
120 written before July 1, 2020, and as to such insurance, operates  
121 under a system of collecting a debit by its agent.

122           Section 7. Section 626.783, Florida Statutes, is amended  
123 to read:

124           626.783 "Ordinary-combination class insurer" defined.—An  
125 "ordinary-combination class insurer" is an insurer writing ~~both~~  
126 ordinary class insurance and collecting premiums on existing  
127 industrial life ~~class~~ insurance under s. 626.782.

128           Section 8. Section 626.796, Florida Statutes, is repealed.

129           Section 9. Subsection (1) of section 626.8443, Florida  
130 Statutes, is amended to read:

131           626.8443 Duration of suspension or revocation.—

132           (1) The department shall, in its order suspending a title  
133 insurance agent's or agency's license or appointment or in its  
134 order suspending the eligibility of a person to hold or apply  
135 for such license or appointment, specify the period during which  
136 the suspension is to be in effect, but such period shall not  
137 exceed 2 years ~~1 year~~. The license, ~~or~~ appointment, or  
138 eligibility shall remain suspended during the period so  
139 specified, subject, however, to any rescission or modification  
140 of the order by the department, or modification or reversal  
141 thereof by the court, prior to expiration of the suspension

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142 period. A license, appointment, or eligibility that ~~which~~ has  
143 been suspended may not be reinstated except upon request for  
144 such reinstatement, but the department shall not grant such  
145 reinstatement if it finds that the circumstance or circumstances  
146 for which the license, appointment, and eligibility was  
147 suspended still exist or are likely to recur.

148 Section 10. Subsection (6) of section 626.854, Florida  
149 Statutes, is amended to read:

150 626.854 "Public adjuster" defined; prohibitions.—The  
151 Legislature finds that it is necessary for the protection of the  
152 public to regulate public insurance adjusters and to prevent the  
153 unauthorized practice of law.

154 (6) Except during a state of emergency declared by the  
155 Governor and except during the 1-year period after the date of  
156 loss, an insured or claimant may cancel a public adjuster's  
157 contract to adjust a claim without penalty or obligation within  
158 7 calendar ~~3-business~~ days after the date on which the contract  
159 is executed or within 7 calendar ~~3-business~~ days after the date  
160 on which the insured or claimant has notified the insurer of the  
161 claim, whichever is later. During a state of emergency declared  
162 by the Governor or during the 1-year period after the date of  
163 loss, an insured or claimant may cancel a public adjuster's  
164 contract to adjust a claim without penalty or obligation within  
165 21 calendar days after the date on which the contract is  
166 executed or within 21 calendar days after the date on which the

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167 insured or claimant has notified the insurer of the claim,  
168 whichever is later. The public adjuster's contract must disclose  
169 to the insured or claimant his or her right to cancel the  
170 contract and advise the insured or claimant that notice of  
171 cancellation must be submitted in writing and sent by certified  
172 mail, return receipt requested, or other form of mailing that  
173 provides proof thereof, to the public adjuster at the address  
174 specified in the contract; ~~provided, during any state of~~  
175 ~~emergency as declared by the Governor and for 1 year after the~~  
176 ~~date of loss, the insured or claimant has 5 business days after~~  
177 ~~the date on which the contract is executed to cancel a public~~  
178 ~~adjuster's contract.~~

179 Section 11. Effective January 1, 2021, subsection (3) of  
180 section 626.916, Florida Statutes, is amended, and paragraph (f)  
181 is added to subsection (1) of that section, to read:

182 626.916 Eligibility for export.-

183 (1) No insurance coverage shall be eligible for export  
184 unless it meets all of the following conditions:

185 (f) The insured has signed or otherwise provided  
186 documented acknowledgement of a disclosure in substantially the  
187 following form: "You are agreeing to place coverage in the  
188 surplus lines market. Coverage may be available in the admitted  
189 market. Persons insured by surplus lines carriers are not  
190 protected under the Florida Insurance Guaranty Act with respect  
191 to any right of recovery for the obligation of an insolvent



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192 unlicensed insurer."

193 (3) (a) Subsection (1) does not apply to wet marine and  
194 transportation or aviation risks that ~~which~~ are subject to s.  
195 626.917.

196 (b) Paragraphs (1) (a)-(d) do not apply to classes of  
197 insurance which are subject to s. 627.062(3)(d)1. These classes  
198 may be exportable under the following conditions:

199 1. The insurance must be placed only by or through a  
200 surplus lines agent licensed in this state;

201 2. The insurer must be made eligible under s. 626.918; and

202 3. The insured has complied with ~~must sign a disclosure~~  
203 paragraph (1) (f) that ~~substantially provides the following: "You~~  
204 ~~are agreeing to place coverage in the surplus lines market.~~  
205 ~~Superior coverage may be available in the admitted market and at~~  
206 ~~a lesser cost. Persons insured by surplus lines carriers are not~~  
207 ~~protected under the Florida Insurance Guaranty Act with respect~~  
208 ~~to any right of recovery for the obligation of an insolvent~~  
209 ~~unlicensed insurer."~~ If the disclosure notice is signed by the  
210 insured, the insured is presumed to have been informed and to  
211 know that other coverage may be available, and, with respect to  
212 the diligent-effort requirement under subsection (1), there is  
213 no liability on the part of, and no cause of action arises  
214 against, the retail agent presenting the form.

215 Section 12. Paragraph (z) of subsection (1) of section  
216 626.9541, Florida Statutes, is amended to read:

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217 626.9541 Unfair methods of competition and unfair or  
218 deceptive acts or practices defined.—

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

222 (z) *Sliding*.—Sliding is the act or practice of any of the  
223 following:

224 1. Representing to the applicant that a specific ancillary  
225 coverage or product is required by law in conjunction with the  
226 purchase of insurance when such coverage or product is not  
227 required.~~†~~

228 2. Representing to the applicant that a specific ancillary  
229 coverage or product is included in the policy applied for  
230 without an additional charge when such charge is required.~~†~~ ~~or~~

231 3. Charging an applicant for a specific ancillary coverage  
232 or product, in addition to the cost of the insurance coverage  
233 applied for, without the informed consent of the applicant.

234 4. Initiating, effectuating, binding, or otherwise issuing  
235 a policy of insurance without the prior informed consent of the  
236 owner of the property to be insured.

237 5. Mailing, transmitting, or otherwise submitting by any  
238 means an invoice for premium payment to a mortgagee or escrow  
239 agent, for the purpose of effectuating an insurance policy,  
240 without the prior informed consent of the owner of the property  
241 to be insured. However, this subparagraph does not apply in

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242 cases where the mortgagee or escrow is renewing insurance or  
243 issuing collateral protection insurance as defined in s.  
244 624.6085, F.S., pursuant to the mortgage or other pertinent loan  
245 documents or communications regarding the property.

246 Section 13. Effective January 1, 2021, subsection (3) of  
247 section 626.9741, Florida Statutes, is amended to read:

248 626.9741 Use of credit reports and credit scores by  
249 insurers.—

250 (3) An insurer must inform an applicant or insured, in the  
251 same medium as the application is taken, that a credit report or  
252 score is being requested for underwriting or rating purposes.  
253 The notification to the consumer must include the following  
254 language: "The Department of Financial Services offers free  
255 financial literacy programs to assist you in understanding how  
256 credit scores are calculated, what factors are considered, and  
257 how credit works. The Department's toll-free Insurance Consumer  
258 Helpline is available to assist you with insurance-related  
259 questions and inquiries. To learn more about the free financial  
260 literacy programs or for help with insurance, call 1-877-693-  
261 5236 or visit [www.MyFloridaCFO.com](http://www.MyFloridaCFO.com)." An insurer that makes an  
262 adverse decision based, in whole or in part, upon a credit  
263 report must provide at no charge, a copy of the credit report to  
264 the applicant or insured or provide the applicant or insured  
265 with the name, address, and telephone number of the consumer  
266 reporting agency from which the insured or applicant may obtain

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267 the credit report. The insurer must provide notification to the  
268 consumer explaining the reasons for the adverse decision. The  
269 reasons must be provided in sufficiently clear and specific  
270 language so that a person can identify the basis for the  
271 insurer's adverse decision. Such notification shall include a  
272 description of the four primary reasons, or such fewer number as  
273 existed, which were the primary influences of the adverse  
274 decision. The use of generalized terms such as "poor credit  
275 history," "poor credit rating," or "poor insurance score" does  
276 not meet the explanation requirements of this subsection. A  
277 credit score may not be used in underwriting or rating insurance  
278 unless the scoring process produces information in sufficient  
279 detail to permit compliance with the requirements of this  
280 subsection. It shall not be deemed an adverse decision if, due  
281 to the insured's credit report or credit score, the insured  
282 continues to receive a less favorable rate or placement in a  
283 less favorable tier or company at the time of renewal except for  
284 renewals or reunderwriting required by this section.

285 Section 14. Subsection (1) of section 626.9957, Florida  
286 Statutes, is amended to read:

287 626.9957 Conduct prohibited; denial, revocation, or  
288 suspension of registration.—

289 (1) As provided in s. 626.112, only a person licensed as  
290 an insurance agent or customer representative may engage in the  
291 solicitation of insurance. A person who engages in the

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292 solicitation of insurance as described in s. 626.112(1) without  
293 such license is subject to the penalties provided under s.  
294 626.112(10) ~~s. 626.112(9)~~.

295 Section 15. Subsection (10) of section 627.062, Florida  
296 Statutes, is amended to read:

297 627.062 Rate standards.—

298 (10) Any interest paid pursuant to s. 627.70131(7) ~~s.~~  
299 ~~627.70131(5)~~ may not be included in the insurer's rate base and  
300 may not be used to justify a rate or rate change.

301 Section 16. Effective January 1, 2021, subsection (6) is  
302 added to section 627.421, Florida Statutes, to read:

303 627.421 Delivery of policy.—

304 (6) For personal lines residential property insurance  
305 policies, the insurer shall, between March 1 and June 1 of each  
306 year, inclusive, deliver a an outline of the hurricane coverage  
307 included in the policy, including the hurricane deductible and  
308 the coverages and exclusions to all policyholders. This  
309 requirement shall apply only for those insureds that have  
310 provided the insurer with a valid e-mail address. This  
311 information shall be delivered directly to the policyholder via  
312 email or by an e-mail notice of information being posted to a  
313 secure web-based policy information page.

314 Section 17. Section 627.502, Florida Statutes, is amended  
315 to read:

316 627.502 "Industrial life insurance" defined; reporting;

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317 prohibition on new policies after a certain date.-

318 (1) For the purposes of this code, "industrial life  
319 insurance" is that form of life insurance written under policies  
320 under which premiums are payable monthly or more often, bearing  
321 the words "industrial policy" or "weekly premium policy" or  
322 words of similar import imprinted upon the policies as part of  
323 the descriptive matter, and issued by an insurer that ~~which~~, as  
324 to such industrial life insurance, is operating under a system  
325 of collecting a debit by its agent.

326 (2) Every life insurer servicing existing ~~transacting~~  
327 industrial life insurance shall report to the office all annual  
328 statement data regarding the exhibit of life insurance,  
329 including relevant information for industrial life insurance.

330 (3) Beginning July 1, 2020, a life insurer may not write a  
331 new policy of industrial life insurance.

332 Section 18. Effective January 1, 2021, section 627.70131,  
333 Florida Statutes, is amended to read:

334 627.70131 Insurer's duty to acknowledge communications  
335 regarding claims; investigation.-

336 (1)(a) Upon an insurer's receiving a communication with  
337 respect to a claim, the insurer shall, within 14 calendar days,  
338 review and acknowledge receipt of such communication unless  
339 payment is made within that period of time or unless the failure  
340 to acknowledge is caused by factors beyond the control of the  
341 insurer which reasonably prevent such acknowledgment. If the

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342 acknowledgment is not in writing, a notification indicating  
343 acknowledgment shall be made in the insurer's claim file and  
344 dated. A communication made to or by a representative ~~an agent~~  
345 of an insurer with respect to a claim shall constitute  
346 communication to or by the insurer.

347 (b) As used in this subsection, the term "representative"  
348 ~~"agent"~~ means any person to whom an insurer has granted  
349 authority or responsibility to receive or make such  
350 communications with respect to claims on behalf of the insurer.

351 (c) This subsection shall not apply to claimants  
352 represented by counsel beyond those communications necessary to  
353 provide forms and instructions.

354 (2) Such acknowledgment shall be responsive to the  
355 communication. If the communication constitutes a notification  
356 of a claim, unless the acknowledgment reasonably advises the  
357 claimant that the claim appears not to be covered by the  
358 insurer, the acknowledgment shall provide necessary claim forms,  
359 and instructions, including an appropriate telephone number.

360 (3) (a) Unless otherwise provided by the policy of  
361 insurance or by law, within 10 business ~~working~~ days after an  
362 insurer receives proof of loss statements, the insurer shall  
363 begin such investigation as is reasonably necessary unless the  
364 failure to begin such investigation is caused by factors beyond  
365 the control of the insurer which reasonably prevent the  
366 commencement of such investigation.

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367 (b) If such investigation involves a physical inspection  
368 of the property, the licensed adjuster assigned by the insurer  
369 must provide the policyholder with his or her name, license  
370 number, and contact information.

371 (c) If an insurer assigns the claim to a different  
372 licensed adjuster from the adjuster who performed the physical  
373 inspection, the insurer must, within 7 days after changing the  
374 licensed insurance adjuster assigned to a claim, provide the  
375 name, license number, and contact information of the new  
376 adjuster to the policyholder. The notification may be sent  
377 electronically or via mail. If the notification is a physical  
378 letter, it must be postmarked within 7 days after the change in  
379 adjuster. The policyholder must be provided notice of any  
380 subsequent change to the assigned adjuster as set forth by this  
381 paragraph.

382 (4) An insurer shall establish a process by which an agent  
383 of record for an insurance policy receives the same notice as  
384 the policyholder as provided in paragraphs (b) and (c) of  
385 subsection (3) in order to assist the agent of record in  
386 answering the policyholder's questions regarding claims. As used  
387 in this subsection, the term "agent of record" means the agent  
388 named on the declarations page of the insurance policy.

389 (5) For purposes of this section, the term "insurer" means  
390 any residential property insurer.

391 (6) (a) When providing a preliminary or partial estimate of



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392 damage regarding a claim, an insurer shall include with the  
393 estimate the following statement printed in at least 12-point  
394 bold, uppercase type: THIS ESTIMATE REPRESENTS OUR CURRENT  
395 EVALUATION OF THE LOSS TO YOUR INSURED PROPERTY AND MAY BE  
396 REVISED AS WE CONTINUE TO EVALUATE YOUR CLAIM. IF YOU HAVE  
397 QUESTIONS, CONCERNS, OR ADDITIONAL INFORMATION REGARDING YOUR  
398 CLAIM, WE ENCOURAGE YOU TO CONTACT US.

399 (b) When providing a preliminary or partial payment on a  
400 claim, an insurer shall include with the payment the following  
401 statement printed in at least 12-point bold, uppercase type: WE  
402 ARE CONTINUING TO EVALUATE YOUR CLAIM INVOLVING YOUR INSURED  
403 PROPERTY AND MAY ISSUE ADDITIONAL PAYMENTS. IF YOU HAVE  
404 QUESTIONS, CONCERNS, OR ADDITIONAL INFORMATION REGARDING YOUR  
405 CLAIM, WE ENCOURAGE YOU TO CONTACT US.

406 (7)~~(5)~~(a) Within 90 calendar days after an insurer  
407 receives notice of an initial, reopened, or supplemental  
408 property insurance claim from a policyholder, the insurer shall  
409 pay or deny such claim or a portion of the claim unless the  
410 failure to pay is caused by factors beyond the control of the  
411 insurer which reasonably prevent such payment. Any payment of an  
412 initial or supplemental claim or portion of such claim made 90  
413 calendar days after the insurer receives notice of the claim, or  
414 made more than 15 days after there are no longer factors beyond  
415 the control of the insurer which reasonably prevented such  
416 payment, whichever is later, bears interest at the rate set

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417 forth in s. 55.03. Interest begins to accrue from the date the  
418 insurer receives notice of the claim. The provisions of this  
419 subsection may not be waived, voided, or nullified by the terms  
420 of the insurance policy. If there is a right to prejudgment  
421 interest, the insured shall select whether to receive  
422 prejudgment interest or interest under this subsection. Interest  
423 is payable when the claim or portion of the claim is paid.  
424 Failure to comply with this subsection constitutes a violation  
425 of this code. However, failure to comply with this subsection  
426 does not form the sole basis for a private cause of action.

427 (b) Notwithstanding subsection (5) ~~(4)~~, for purposes of  
428 this subsection, the term "claim" means any of the following:

429 1. A claim under an insurance policy providing residential  
430 coverage as defined in s. 627.4025(1);

431 2. A claim for structural or contents coverage under a  
432 commercial property insurance policy if the insured structure is  
433 10,000 square feet or less; or

434 3. A claim for contents coverage under a commercial tenant  
435 policy if the insured premises is 10,000 square feet or less.

436 (c) This subsection shall not apply to claims under an  
437 insurance policy covering nonresidential commercial structures  
438 or contents in more than one state.

439 (8) This section also applies to surplus lines insurers  
440 and surplus lines insurance authorized under ss. 626.913-  
441 626.937.

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442 Section 19. Section 627.7031, Florida Statutes, is created  
443 to read:

444 627.7031 Foreign venue clauses prohibited.—After July 1,  
445 2020, a personal residential property insurance policy sold in  
446 this state, insuring real property located in this state, may  
447 not require an insured to pursue dispute resolution through  
448 litigation, arbitration, or mediation outside this state. This  
449 section applies to surplus lines insurers and surplus lines  
450 insurance authorized under ss. 626.913–626.937.

451 Section 20. Effective January 1, 2021, section 627.7142,  
452 Florida Statutes, is amended to read:

453 627.7142 Homeowner Claims Bill of Rights.—An insurer  
454 issuing a personal lines residential property insurance policy  
455 in this state must provide a Homeowner Claims Bill of Rights to  
456 a policyholder within 14 days after receiving an initial  
457 communication with respect to a claim, ~~unless the claim follows~~  
458 ~~an event that is the subject of a declaration of a state of~~  
459 ~~emergency by the Governor.~~ The purpose of the bill of rights is  
460 to summarize, in simple, nontechnical terms, existing Florida  
461 law regarding the rights of a personal lines residential  
462 property insurance policyholder who files a claim of loss. The  
463 Homeowner Claims Bill of Rights is specific to the claims  
464 process and does not represent all of a policyholder's rights  
465 under Florida law regarding the insurance policy. The Homeowner  
466 Claims Bill of Rights does not create a civil cause of action by

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467 any individual policyholder or class of policyholders against an  
468 insurer or insurers. The failure of an insurer to properly  
469 deliver the Homeowner Claims Bill of Rights is subject to  
470 administrative enforcement by the office but is not admissible  
471 as evidence in a civil action against an insurer. The Homeowner  
472 Claims Bill of Rights does not enlarge, modify, or contravene  
473 statutory requirements, including, but not limited to, ss.  
474 626.854, 626.9541, 627.70131, 627.7015, and 627.7074, and does  
475 not prohibit an insurer from exercising its right to repair  
476 damaged property in compliance with the terms of an applicable  
477 policy or ss. 627.7011(5)(e) and 627.702(7). The Homeowner  
478 Claims Bill of Rights must state:

## HOMEOWNER CLAIMS

## BILL OF RIGHTS

482 This Bill of Rights is specific to the claims process  
483 and does not represent all of your rights under  
484 Florida law regarding your policy. There are also  
485 exceptions to the stated timelines when conditions are  
486 beyond your insurance company's control. This document  
487 does not create a civil cause of action by an  
488 individual policyholder, or a class of policyholders,  
489 against an insurer or insurers and does not prohibit  
490 an insurer from exercising its right to repair damaged  
491 property in compliance with the terms of an applicable

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492 policy.

493

494 YOU HAVE THE RIGHT TO:

495 1. Receive from your insurance company an  
496 acknowledgment of your reported claim within 14  
497 calendar days after the time you communicated the  
498 claim.

499 2. Upon written request, receive from your insurance  
500 company within 30 days after you have submitted a  
501 complete proof-of-loss statement to your insurance  
502 company, confirmation that your claim is covered in  
503 full, partially covered, or denied, or receive a  
504 written statement that your claim is being  
505 investigated.

506 3. Within 7 calendar days, receive notification from  
507 your insurance company if there has been a change in  
508 the company adjuster who is assigned to your claim.  
509 The notification must include the assigned adjuster's  
510 contact information.

511 4. Within 90 calendar days, subject to any dual  
512 interest noted in the policy, receive full settlement  
513 payment for your claim or payment of the undisputed  
514 portion of your claim, or your insurance company's  
515 denial of your claim.

516 5. Receive payment of interest, as provided in s.

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517 627.7031, from your insurance company, which begins  
518 accruing from the date your claim is filed if your  
519 insurance company does not pay full settlement of your  
520 claim or the undisputed portion of your claim or does  
521 not deny your claim within 90 calendar days after your  
522 claim is filed. The interest, if applicable, must be  
523 paid when your claim or undisputed portion of your  
524 claim is paid.

525 ~~6.4.~~ Free mediation of your disputed claim by the  
526 Florida Department of Financial Services, Division of  
527 Consumer Services, under most circumstances and  
528 subject to certain restrictions.

529 ~~7.5.~~ Neutral evaluation of your disputed claim, if  
530 your claim is for damage caused by a sinkhole and is  
531 covered by your policy.

532 ~~8.6.~~ Contact the Florida Department of Financial  
533 Services, Division of Consumer Services' toll-free  
534 helpline for assistance with any insurance claim or  
535 questions pertaining to the handling of your claim.  
536 You can reach the Helpline by phone at...(toll-free  
537 phone number)..., or you can seek assistance online at  
538 the Florida Department of Financial Services, Division  
539 of Consumer Services' website at...(website  
540 address)....

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- 542 YOU ARE ADVISED TO:
- 543 1. Contact your insurance company before entering
- 544 into any contract for repairs to confirm any managed
- 545 repair policy provisions or optional preferred
- 546 vendors.
- 547 2. Make and document emergency repairs that are
- 548 necessary to prevent further damage. Keep the damaged
- 549 property, if feasible, keep all receipts, and take
- 550 photographs or video of damage before and after any
- 551 repairs.
- 552 3. Carefully read any contract that requires you to
- 553 pay out-of-pocket expenses or a fee that is based on a
- 554 percentage of the insurance proceeds that you will
- 555 receive for repairing or replacing your property.
- 556 4. Confirm that the contractor you choose is licensed
- 557 to do business in Florida. You can verify a
- 558 contractor's license and check to see if there are any
- 559 complaints against him or her by calling the Florida
- 560 Department of Business and Professional Regulation.
- 561 You should also ask the contractor for references from
- 562 previous work.
- 563 5. Require all contractors to provide proof of
- 564 insurance before beginning repairs.
- 565 6. Take precautions if the damage requires you to
- 566 leave your home, including securing your property and

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567 turning off your gas, water, and electricity, and  
568 contacting your insurance company and provide a phone  
569 number where you can be reached.

570 Section 21. Paragraph (a) of subsection (1) and subsection  
571 (6) of section 631.57, Florida Statutes, are amended to read:

572 631.57 Powers and duties of the association.—

573 (1) The association shall:

574 (a)1. Be obligated to the extent of the covered claims  
575 existing:

576 a. Prior to adjudication of insolvency and arising within  
577 30 days after the determination of insolvency;

578 b. Before the policy expiration date if less than 30 days  
579 after the determination; or

580 c. Before the insured replaces the policy or causes its  
581 cancellation, if she or he does so within 30 days of the  
582 determination.

583 2. The obligation under subparagraph 1. includes ~~only~~ the  
584 amount of each covered claim which is ~~in excess of \$100 and is~~  
585 less than \$300,000, except that policies providing coverage for  
586 homeowner's insurance shall provide for an additional \$200,000  
587 for the portion of a covered claim which relates only to the  
588 damage to the structure and contents.

589 3.a. Notwithstanding subparagraph 2., the obligation under  
590 subparagraph 1. for policies covering condominium associations  
591 or homeowners' associations, which associations have a

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592 responsibility to provide insurance coverage on residential  
593 units within the association, shall include that amount of each  
594 covered property insurance claim which is less than \$100,000  
595 multiplied by the number of condominium units or other  
596 residential units; however, as to homeowners' associations, this  
597 sub-subparagraph applies only to claims for damage or loss to  
598 residential units and structures attached to residential units.

599 b. Notwithstanding sub-subparagraph a., the association  
600 has no obligation to pay covered claims that are to be paid from  
601 the proceeds of bonds issued under s. 631.695. However, the  
602 association shall assign and pledge the first available moneys  
603 from all or part of the assessments to be made under paragraph  
604 (3) (a) to or on behalf of the issuer of such bonds for the  
605 benefit of the holders of such bonds. The association shall  
606 administer any such covered claims and present valid covered  
607 claims for payment in accordance with the provisions of the  
608 assistance program in connection with which such bonds have been  
609 issued.

610 4. In no event shall the association be obligated to a  
611 policyholder or claimant in an amount in excess of the  
612 obligation of the insolvent insurer under the policy from which  
613 the claim arises.

614 (6) The association may extend the time limits specified  
615 in paragraph (1) (a) by up to an additional 60 days ~~or waive the~~  
616 ~~applicability of the \$100 deductible specified in paragraph~~

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617 ~~(1)(a)~~ if the board determines that either or both such actions  
618 are necessary to facilitate the bulk assumption of obligations.

619 Section 22. Section 648.30, Florida Statutes, is amended  
620 to read:

621 648.30 Licensure and appointment required; prohibited  
622 acts; penalties.—

623 (1) A person may not act in the capacity of a bail bond  
624 agent or temporary bail bond agent or perform any of the  
625 functions, duties, or powers prescribed for bail bond agents or  
626 temporary bail bond agents under this chapter unless that person  
627 is qualified, licensed, and appointed as provided in this  
628 chapter.

629 (2) A person may not represent himself or herself to be a  
630 bail enforcement agent, bounty hunter, or other similar title in  
631 this state.

632 (3) A person, other than a certified law enforcement  
633 officer, may not apprehend, detain, or arrest a principal on a  
634 bond, wherever issued, unless that person is qualified,  
635 licensed, and appointed as provided in this chapter or licensed  
636 as a bail bond agent or bail bond enforcement agent, or holds an  
637 equivalent license by the state where the bond was written.

638 (4) Any person who violates this section commits a felony  
639 of the third degree, punishable as provided in s. 775.082, s.  
640 775.083, or s. 775.084.

641 (5) Any licensee under this chapter who knowingly aids or

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642 abets an unlicensed person in violating this section commits a  
643 felony of the third degree, punishable as provided in s.  
644 775.082, s. 775.083, or s. 775.084.

645 Section 23. Paragraphs (b) and (c) of subsection (4) and  
646 subsections (1) and (10) of section 717.124, Florida Statutes,  
647 are amended to read:

648 717.124 Unclaimed property claims.—

649 (1) Any person, excluding another state, claiming an  
650 interest in any property paid or delivered to the department  
651 under this chapter may file with the department a claim on a  
652 form prescribed by the department and verified by the claimant  
653 or the claimant's representative. The claimant's representative  
654 must be an attorney licensed to practice law in this state, a  
655 licensed Florida-certified public accountant, or a private  
656 investigator licensed under chapter 493. The claimant's  
657 representative must be registered with the department under this  
658 chapter. The claimant, or the claimant's representative, shall  
659 provide the department with a legible copy of a valid driver  
660 license of the claimant at the time the original claim form is  
661 filed. If the claimant has not been issued a valid driver  
662 license at the time the original claim form is filed, the  
663 department shall be provided with a legible copy of a  
664 photographic identification of the claimant issued by the United  
665 States, a state or territory of the United States, a foreign  
666 nation, or a political subdivision or agency thereof or other

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667 evidence deemed acceptable by the department by rule. In lieu of  
668 photographic identification, a notarized sworn statement by the  
669 claimant may be provided which affirms the claimant's identity  
670 and states the claimant's full name and address. The claimant  
671 must produce to the notary photographic identification of the  
672 claimant issued by the United States, a state or territory of  
673 the United States, a foreign nation, or a political subdivision  
674 or agency thereof or other evidence deemed acceptable by the  
675 department by rule. The notary shall indicate the notary's full  
676 address on the notarized sworn statement. Any claim filed  
677 without the required identification or the sworn statement with  
678 the original claim form and the original Florida Uniform  
679 Unclaimed Property Recovery Agreement or Florida Uniform  
680 Property Purchase Agreement ~~power of attorney or purchase~~  
681 ~~agreement~~, if applicable, is void.

682 (a) Within 90 days after receipt of a claim, the  
683 department may return any claim that provides for the receipt of  
684 fees and costs greater than that permitted under this chapter or  
685 that contains any apparent errors or omissions. The department  
686 may also request that the claimant or the claimant's  
687 representative provide additional information. The department  
688 shall retain a copy or electronic image of the claim.

689 (b) A claimant or the claimant's representative shall be  
690 deemed to have withdrawn a claim if no response to the  
691 department's request for additional information is received by

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692 the department within 60 days after the notification of any  
693 apparent errors or omissions.

694 (c) Within 90 days after receipt of the claim, or the  
695 response of the claimant or the claimant's representative to the  
696 department's request for additional information, whichever is  
697 later, the department shall determine each claim. Such  
698 determination shall contain a notice of rights provided by ss.  
699 120.569 and 120.57. The 90-day period shall be extended by 60  
700 days if the department has good cause to need additional time or  
701 if the unclaimed property:

702 1. Is owned by a person who has been a debtor in  
703 bankruptcy;

704 2. Was reported with an address outside of the United  
705 States;

706 3. Is being claimed by a person outside of the United  
707 States; or

708 4. Contains documents filed in support of the claim that  
709 are not in the English language and have not been accompanied by  
710 an English language translation.

711 (d) The department shall deny any claim under which the  
712 claimant's representative has refused to authorize the  
713 department to reduce the fees and costs to the maximum permitted  
714 under this chapter.

715 (4)

716 (b) If an owner authorizes an attorney licensed to

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717 practice law in this state, Florida-certified public accountant,  
718 or private investigator licensed under chapter 493, and  
719 registered with the department under this chapter, to claim the  
720 unclaimed property on the owner's behalf, the department is  
721 authorized to make distribution of the property or money in  
722 accordance with the Florida Uniform Unclaimed Property Recovery  
723 Agreement or Florida Uniform Property Purchase Agreement under  
724 s. 717.135 ~~such power of attorney~~. The original Florida Uniform  
725 Unclaimed Property Recovery Agreement or Florida Uniform  
726 Property Purchase Agreement ~~power of attorney~~ must be executed  
727 by the claimant or seller ~~owner~~ and must be filed with the  
728 department.

729 (c)1. Payments of approved claims for unclaimed cash  
730 accounts shall be made to the owner after deducting any fees and  
731 costs authorized pursuant to a Florida Uniform Unclaimed  
732 Property Recovery Agreement ~~written power of attorney~~. The  
733 contents of a safe-deposit box shall be delivered directly to  
734 the claimant ~~notwithstanding any power of attorney or agreement~~  
735 ~~to the contrary~~.

736 2. Payments of fees and costs authorized pursuant to a  
737 Florida Uniform Unclaimed Property Recovery Agreement ~~written~~  
738 ~~power of attorney~~ for approved claims must ~~shall~~ be made or  
739 issued to the law firm of the designated attorney licensed to  
740 practice law in this state, the public accountancy firm of the  
741 licensed Florida-certified public accountant, or the designated

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742 employing private investigative agency licensed by this state.  
743 Such payments shall be made by electronic funds transfer and may  
744 be made on such periodic schedule as the department may define  
745 by rule, provided the payment intervals do not exceed 31 days.  
746 Payment made to an attorney licensed in this state, a Florida-  
747 certified public accountant, or a private investigator licensed  
748 under chapter 493, operating individually or as a sole  
749 practitioner, shall be to the attorney, certified public  
750 accountant, or private investigator.

751 (10) Notwithstanding any other provision of this chapter,  
752 the department may develop a process by which a registered  
753 claimant's representative or a buyer of unclaimed property may  
754 electronically submit to the department an electronic image of a  
755 completed claim and claims-related documents pursuant to this  
756 chapter, including a Florida Uniform Unclaimed Property Recovery  
757 Agreement or Florida Uniform Property Purchase Agreement ~~a~~  
758 ~~limited power of attorney or purchase agreement~~ that has been  
759 manually signed and dated by a claimant or seller pursuant to s.  
760 717.135 ~~or s. 717.1351~~, after the claimant's representative or  
761 the buyer of unclaimed property receives the original documents  
762 provided by the claimant or the seller for any claim. Each claim  
763 filed by a registered claimant's representative or a buyer of  
764 unclaimed property must include a statement by the claimant's  
765 representative or the buyer of unclaimed property attesting that  
766 all documents are true copies of the original documents and that

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767 all original documents are physically in the possession of the  
768 claimant's representative or the buyer of unclaimed property.  
769 All original documents must be kept in the original form, by  
770 claim number, under the secure control of the claimant's  
771 representative or the buyer of unclaimed property and must be  
772 available for inspection by the department in accordance with s.  
773 717.1315. The department may adopt rules to implement this  
774 subsection.

775 Section 24. Subsection (2) of section 717.12404, Florida  
776 Statutes, is amended to read:

777 717.12404 Claims on behalf of a business entity or trust.—

778 (2) Claims on behalf of a dissolved corporation, a  
779 business entity other than an active corporation, or a trust  
780 must include a legible copy of a valid driver license of the  
781 person acting on behalf of the dissolved corporation, business  
782 entity other than an active corporation, or trust. If the person  
783 has not been issued a valid driver license, the department shall  
784 be provided with a legible copy of a photographic identification  
785 of the person issued by the United States, a foreign nation, or  
786 a political subdivision or agency thereof. In lieu of  
787 photographic identification, a notarized sworn statement by the  
788 person may be provided which affirms the person's identity and  
789 states the person's full name and address. The person must  
790 produce his or her photographic identification issued by the  
791 United States, a state or territory of the United States, a

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792 foreign nation, or a political subdivision or agency thereof or  
793 other evidence deemed acceptable by the department by rule. The  
794 notary shall indicate the notary's full address on the notarized  
795 sworn statement. Any claim filed without the required  
796 identification or the sworn statement with the original claim  
797 form and the original Florida Uniform Unclaimed Property  
798 Recovery Agreement or Florida Uniform Property Purchase  
799 Agreement ~~power of attorney~~, if applicable, is void.

800 Section 25. Subsection (1) of section 717.1315, Florida  
801 Statutes, is amended to read:

802 717.1315 Retention of records by claimant's  
803 representatives and buyers of unclaimed property.—

804 (1) Every claimant's representative and buyer of unclaimed  
805 property shall keep and use in his or her business such books,  
806 accounts, and records of the business conducted under this  
807 chapter to enable the department to determine whether such  
808 person is complying with this chapter and the rules adopted by  
809 the department under this chapter. Every claimant's  
810 representative and buyer of unclaimed property shall preserve  
811 such books, accounts, and records, including every Florida  
812 Uniform Unclaimed Property Recovery Agreement or Florida Uniform  
813 Property Purchase Agreement ~~power of attorney or agreement~~  
814 between the owner and such claimant's representative or buyer,  
815 for at least 3 years after the date of the initial ~~power of~~  
816 ~~attorney or agreement~~.

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817 Section 26. Paragraph (j) of subsection (1) of section  
818 717.1322, Florida Statutes, is amended to read:

819 717.1322 Administrative and civil enforcement.—

820 (1) The following acts are violations of this chapter and  
821 constitute grounds for an administrative enforcement action by  
822 the department in accordance with the requirements of chapter  
823 120 and for civil enforcement by the department in a court of  
824 competent jurisdiction:

825 (j) Requesting or receiving compensation for notifying a  
826 person of his or her unclaimed property or assisting another  
827 person in filing a claim for unclaimed property, unless the  
828 person is an attorney licensed to practice law in this state, a  
829 Florida-certified public accountant, or a private investigator  
830 licensed under chapter 493, or entering into, or making a  
831 solicitation to enter into, an agreement ~~a power of attorney~~ to  
832 file a claim for unclaimed property owned by another, or a  
833 contract or agreement to purchase unclaimed property, unless  
834 such person is registered with the department pursuant to this  
835 chapter and an attorney licensed to practice law in this state  
836 in the regular practice of her or his profession, a Florida-  
837 certified public accountant who is acting within the scope of  
838 the practice of public accounting as defined in chapter 473, or  
839 a private investigator licensed under chapter 493. This  
840 subsection does not apply to a person who has been granted a  
841 durable power of attorney to convey and receive all of the real

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842 and personal property of the owner, is the court-appointed  
843 guardian of the owner, has been employed as an attorney or  
844 qualified representative to contest the department's denial of a  
845 claim, or has been employed as an attorney to probate the estate  
846 of the owner or an heir or legatee of the owner.

847 Section 27. Section 717.135, Florida Statutes, is amended  
848 to read:

849 (Substantial rewording of section. See  
850 s. 717.135, F.S., for present text.)

851 717.135 Recovery agreements and purchase agreements for  
852 claims filed by claimant's representative; fees and costs.-

853 (1) In order to protect the interests of owners of  
854 unclaimed property, the department shall adopt by rule a form  
855 entitled "Florida Uniform Unclaimed Property Recovery Agreement"  
856 and a form entitled "Florida Uniform Property Purchase  
857 Agreement."

858 (2) The Florida Uniform Unclaimed Property Recovery  
859 Agreement form and the Florida Uniform Property Purchase  
860 Agreement form must include and disclose:

861 (a) The total dollar amount of unclaimed property accounts  
862 claimed or sold.

863 (b) Either the total percentage of all authorized fees and  
864 costs to be paid to the claimant's representative or the  
865 percentage of the value of the property to be paid as net gain  
866 to the purchasing registered claimant's representative.

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867 (c) Either the total dollar amount to be deducted and  
868 received from the claimant as fees and costs by the claimant's  
869 representative or the total net dollar amount to be received by  
870 the purchasing registered claimant's representative.

871 (d) The net dollar amount to be received by the claimant  
872 or seller.

873 (e) For each account claimed, the unclaimed property  
874 account number and name of the apparent owner, as listed on the  
875 department's database.

876 (f) For the Florida Uniform Property Purchase Agreement, a  
877 statement that the purchase price will be remitted to the seller  
878 within 30 days after the execution of the form by the seller.

879 (g) The name, address, e-mail address, phone number, and  
880 license number of the registered claimant's representative.

881 (h) The manual signature of the claimant or seller and the  
882 date signed.

883 (i) The social security number or taxpayer identification  
884 number of the claimant or seller, if available. A number is  
885 available if one has been issued to the claimant or seller.

886 (j) A limit of total fees and costs, or the total discount  
887 amount in the case of a purchase agreement, to no more than 20  
888 percent of the claimed amount.

889 (3) For a Florida Uniform Property Purchase Agreement  
890 form, proof that the seller has received payment must be filed  
891 with the department along with the claim. If proof of payment is

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892 not provided, the claim is void.

893 (4) A registered claimant's representative shall use the  
894 Florida Uniform Unclaimed Property Recovery Agreement form or  
895 the Florida Uniform Property Purchase Agreement form as the  
896 exclusive means of engaging with a claimant or seller to file a  
897 claim with the department.

898 (5) Fees and costs may be owed or paid to a registered  
899 claimant's representative only pursuant to the forms authorized  
900 by this section and upon approval of the claim filed thereby.

901 (6) A claimant's representative may not use or distribute  
902 any other agreement of any type with respect to the claimant or  
903 seller which relates to unclaimed property accounts held by the  
904 department or the Chief Financial Officer other than the  
905 agreements authorized by this section. Any agreement that is not  
906 authorized by this section is null and void.

907 (7) The forms under subsection (1):

908 (a) May not contain language that makes the agreement  
909 irrevocable; and

910 (b) May not contain language that creates an assignment of  
911 any unclaimed property held by the department.

912 (8) This section does not supersede the conflicting claims  
913 provisions of s. 717.1241.

914 (9) At the time a claim is approved, the department may  
915 pay any additional account that is owned by the claimant but has  
916 not been claimed at the time of approval, provided that no

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917 subsequent claim has been filed and is pending for the claimant  
918 at the time of approval.

919 Section 28. Section 717.1351, Florida Statutes, is  
920 repealed.

921 Section 29. Except as otherwise provided, this act shall  
922 take effect upon becoming law.

923

924 -----

925 **T I T L E A M E N D M E N T**

926 Remove everything before the enacting clause and insert:

927 A bill to be entitled

928 An act relating to consumer protection; amending s. 501.0051,  
929 F.S.; prohibiting consumer reporting agencies from charging to  
930 reissue or provide a new unique personal identifier to a  
931 consumer for the removal of a security freeze; amending s.  
932 624.307, F.S.; revising a requirement for entities licensed or  
933 authorized by the Department of Financial Services or the Office  
934 of Insurance Regulation to respond to the department's Division  
935 of Consumer Services regarding consumer complaints; revising  
936 administrative penalties the division may impose for failure to  
937 comply; amending s. 626.112, F.S.; prohibiting unlicensed  
938 activity by an adjusting firm; providing an exemption; providing  
939 an exemption from licensure for branch firms that meet certain  
940 criteria; providing an administrative penalty for failing to  
941 apply for certain licensure; providing a criminal penalty for

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942 aiding or abetting unlicensed activity; deleting an obsolete  
943 provision; amending s. 626.602, F.S.; authorizing the department  
944 to disapprove the use of insurance agency names containing the  
945 words "Medicare" or "Medicaid"; providing an exception for  
946 certain insurance agencies; amending s. 626.621, F.S.; adding  
947 grounds on which the department may take certain actions against  
948 a license, appointment, or application of certain insurance  
949 representatives; amending ss. 626.782 and 626.783, F.S.;  
950 revising the definitions of the terms "industrial class insurer"  
951 and "ordinary-combination class insurer," respectively, to  
952 conform to changes made by the act; repealing s. 626.796, F.S.,  
953 relating to the representation of multiple insurers in the same  
954 industrial debit territory; amending s. 626.8443, F.S.;  
955 increasing the maximum period of suspension of a title insurance  
956 agent's or agency's license; amending s. 626.854, F.S.; revising  
957 the timeframes in which an insured or claimant may cancel a  
958 public adjuster's contract to adjust a claim without penalty or  
959 obligation; amending s. 626.916, F.S.; revising the classes of  
960 insurance subject to a disclosure requirement before being  
961 eligible for export under the Surplus Lines Law; amending s.  
962 626.9541, F.S.; adding certain acts or practices to the  
963 definition of sliding; amending s. 626.9741, F.S.; requiring an  
964 insurer to include certain additional information when providing  
965 an applicant or insured with certain credit report or score  
966 information; amending ss. 626.9957 and 627.062, F.S.; conforming

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967 cross-references; amending s. 627.421, F.S.; requiring personal  
968 lines residential property insurers to annually deliver a  
969 certain notification to certain policyholders within a specified  
970 timeframe; amending s. 627.502, F.S.; prohibiting life insurers  
971 from writing new policies of industrial life insurance beginning  
972 on a certain date; amending s. 627.70131, F.S.; providing that  
973 communication made to or by an insurer's representative, rather  
974 than to or by an insurer's agent, constitutes communication to  
975 or by the insurer; requiring an insurer-assigned licensed  
976 adjuster to provide the policyholder with certain information in  
977 certain investigations; specifying requirements for insurers in  
978 notifying policyholders for certain changes in assigned  
979 adjusters; requiring an insurer to establish a process to  
980 provide the agent of record access to claim status information  
981 for a certain purpose; defining the term "agent of record";  
982 requiring insurers to include specified notices when providing  
983 preliminary or partial damage estimates or claim payments;  
984 specifying the timeframe in which an insurer must pay or deny  
985 property insurance claims under certain circumstances; providing  
986 applicability; conforming provisions to changes made by the act;  
987 creating s. 627.7031, F.S.; prohibiting foreign venue clauses in  
988 property insurance policies; providing applicability; amending  
989 s. 627.7142, F.S.; revising information contained in the  
990 Homeowner Claims Bill of Rights; conforming provisions to  
991 changes made by the act; amending s. 631.57, F.S.; deleting a

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992 deductible on the Florida Insurance Guaranty Association,  
993 Incorporated's obligation as to certain covered claims; amending  
994 s. 648.30, F.S.; prohibiting the aiding or abetting of  
995 unlicensed activity of a bail bond agent or temporary bail bond  
996 agent; amending ss. 717.124, 717.12404, 717.1315, and 717.1322,  
997 F.S.; conforming provisions to changes made by the act; amending  
998 s. 717.135, F.S.; replacing provisions relating to powers of  
999 attorney to recover unclaimed property with provisions relating  
1000 to uniform forms for unclaimed property recovery agreements and  
1001 purchase agreements; requiring the department to adopt the  
1002 uniform forms by rule; specifying required information and  
1003 disclosures in the forms; requiring that, for the purchase  
1004 agreement form, proof the seller received payment be filed with  
1005 the department along with the claim; requiring registered  
1006 claimant's representatives to use the forms as the exclusive  
1007 means of engaging with a claimant or seller to file claims and  
1008 prohibiting them from using or distributing other agreements;  
1009 specifying a limitation on fees and costs owed or paid;  
1010 prohibiting certain language in the forms; authorizing the  
1011 department to pay additional accounts owned by the claimant  
1012 under certain circumstances; providing construction; repealing  
1013 s. 717.1351, F.S., relating to the acquisition of unclaimed  
1014 property; providing effective dates.

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