Bill No. HB 269 (2020)

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WITHDRAWN	(Y/N)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	

Committee/Subcommittee hearing bill: Insurance & Banking 1 2 Subcommittee 3 Representative Perez offered the following: 4 Amendment (with title amendment) 5 6 Remove everything after the enacting clause and insert: 7 Section 1. Section 626.9202, Florida Statutes, is created to 8 read:

9	626.9202 Loss run statements for all lines of insurance
10	(1) As used in this section, the term:
11	(a) "Loss run statement" means a report that contains the
12	policy number, the period of coverage, the number of claims, the
13	paid losses on all claims, and the date of each loss. The term
14	does not include supporting claim file documentation, including,
15	but not limited to, copies of claim files, investigation

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16	reports, evaluation statements, insureds' statements, and
17	documents protected by a common law or statutory privilege.
18	(b) "Provide" means to electronically send a document, or
19	to allow access through an electronic portal to view or generate
20	a document.
21	(2) Notwithstanding any other law, an insurer shall
22	provide a loss run statement to an insured within 15 calendar
23	days after receipt of the insured's written request, but in no
24	event more frequently than once per policy period.
25	(3) At the time the loss run statement is provided to the
26	insured, the insurer shall notify the agent of record that the
27	loss run statement was provided to the insured.
28	(4) A loss run statement provided pursuant to this section
29	must contain a claims history with the insurer for the preceding
30	5 years or, if the claims history is less than 5 years, a
31	complete claims history with the insurer.
32	(5) Notwithstanding any other provision of this section,
33	an insurer may not be required to provide loss reserve
34	information.
35	(6) Notwithstanding any other law, an insurer may not
36	charge any fee to prepare and provide annually one loss run
37	statement in accordance with this section.
38	Section 2. Section 627.0622, Florida Statutes, is created
39	to read:
40	627.0622 Loss run statements for all lines of insurance
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41	(1) As used in this section, the term:
42	(a) "Loss run statement" means a report that contains the
43	policy number, the period of coverage, the number of claims, the
44	paid losses on all claims, and the date of each loss. The term
45	does not include supporting claim file documentation, including,
46	but not limited to, copies of claim files, investigation
47	reports, evaluation statements, insureds' statements, and
48	documents protected by a common law or statutory privilege.
49	(b) "Provide" means to electronically send a document, or
50	to allow access through an electronic portal to view or generate
51	a document.
52	(2) Notwithstanding any other law, an insurer shall
53	provide a loss run statement to an insured within 15 calendar
54	days after receipt of the insured's written request, but in no
55	event more frequently than once per policy period.
56	(3) At the time the loss run statement is provided to the
57	insured, the insurer shall notify the agent of record that the
58	loss run statement was provided to the insured.
59	(4) A loss run statement provided pursuant to this section
60	must contain a claims history with the insurer for the preceding
61	5 years or, if the claims history is less than 5 years, a
62	complete claims history with the insurer.
63	(5) Notwithstanding any other provision of this section,
64	an insurer may not be required to provide loss reserve
65	information.
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66	(6) Notwithstanding any other law, an insurer may not	
67	charge any fee to prepare and provide annually one loss run	
68	statement in accordance with this section.	
69	Section 3. This act shall take effect January 1, 2021.	
70		
71		
72	TITLE AMENDMENT	
73	Remove everything before the enacting clause and insert:	
74	A bill to be entitled	
75	An act relating to loss run statements; creating ss.	
76	626.9202 and 627.0622, F.S.; providing definitions;	
77	requiring insurers to provide loss run statements to	
78	insureds within a specified timeframe; providing	
79	notification requirements; providing claims history	
80	requirements for loss run statements; prohibiting	
81	insurers from being required to provide loss reserve	
82	information; prohibiting fees under certain	
83	circumstances; providing an effective date.	
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