

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Santiago offered the following:

Amendment (with title amendment)

Between lines 1956 and 1957, insert:

Section 77. Paragraph (c) is added to subsection (2) of section 617.0721, Florida Statutes, to read:

617.0721 Voting by members.—

(2) A member who is entitled to vote may vote in person or, unless the articles of incorporation or the bylaws otherwise provide, may vote by proxy executed in writing by the member or by his or her duly authorized attorney in fact. Notwithstanding any provision to the contrary in the articles of incorporation or bylaws, any copy, facsimile transmission, or other reliable

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14 reproduction of the original proxy may be substituted or used in
 15 lieu of the original proxy for any purpose for which the
 16 original proxy could be used if the copy, facsimile
 17 transmission, or other reproduction is a complete reproduction
 18 of the entire proxy. An appointment of a proxy is not valid
 19 after 11 months following the date of its execution unless
 20 otherwise provided in the proxy.

21 (c) Policyholders of a mutual insurance company or mutual
 22 insurance holding company shall have the right to vote any
 23 membership interest granted by the insurer's bylaws, at any
 24 special or annual meeting of the members, either in person or by
 25 proxy that has been properly transmitted to the insurer. For
 26 purposes of this paragraph, "properly transmitted" means
 27 substantial compliance with any reasonable procedure established
 28 by the insurer for the proper transmission of proxies. Such
 29 procedure may include transmission by mail, electronically, or
 30 by any other means reasonably calculated to ensure that the
 31 transmission was submitted by the member or by his or her
 32 attorney in fact.

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

36 Remove line 58 and insert:
 37 F.S.; making technical changes; amending s. 617.0721,
 38 F.S.; providing that policyholders of certain

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39 | insurance companies and insurance holding companies
40 | have the right to vote certain membership interest by
41 | proxy; defining the term "properly transmitted";
42 | amending s. 617.0825,

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