

1 A bill to be entitled
2 An act relating to insurance; amending s. 215.555,
3 F.S.; revising the definition of the term "covered
4 policy" to include a coverage amount requested by
5 lenders under specified residential insurance policies
6 in certain circumstances; amending s. 316.646, F.S.;
7 requiring law enforcement officers to access certain
8 information during traffic stops or crash
9 investigations for certain purposes; amending s.
10 320.02, F.S.; authorizing insurance online
11 verification for motor vehicle registration; creating
12 s. 324.252, F.S.; requiring the Department of Highway
13 Safety and Motor Vehicles to establish an online
14 verification system for motor vehicle insurance;
15 providing system requirements; providing powers and
16 duties of the department; providing requirements for
17 insurers and law enforcement officers; providing
18 immunity from liability; prohibiting the use of an
19 online verification request or response for a civil
20 action; providing applicability; providing rulemaking
21 authority; creating s. 324.255, F.S.; creating the
22 Motor Vehicle Insurance Online Verification Task
23 Force; providing duties of the task force; providing
24 membership; providing meeting requirements; requiring
25 the department to provide support; providing report

26 requirements; providing the date by which the task
27 force must complete its work and submit its final
28 report; providing for expiration of the task force;
29 amending s. 624.01, F.S.; adding ch. 647, F.S., to the
30 list of statutes composing the Florida Insurance Code;
31 amending s. 626.321, F.S.; revising the list of
32 individuals and entities who may apply for licenses to
33 transact a limited class of business in specified
34 categories of limited lines insurance; revising the
35 requirements for such licenses; prohibiting persons
36 from engaging in certain acts unless licensed or
37 registered; providing authorizations and duties of
38 limited lines travel insurance producers and travel
39 retailers; requiring travel retailer registers;
40 providing applicability of penalties; providing
41 fingerprinting requirements and licensing and
42 appointment fee requirements; providing instruction or
43 training requirements under certain circumstances;
44 authorizing travel retailers to receive compensation
45 under certain circumstances; providing that limited
46 lines travel insurance producers are responsible for
47 their travel retailers' acts; authorizing persons
48 licensed as general lines or personal lines insurance
49 agents to sell, solicit, and negotiate travel
50 insurance; amending s. 626.931, F.S.; deleting

51 provisions requiring certain surplus lines agents to
52 file affidavits with the Florida Surplus Lines Service
53 Office; amending s. 626.932, F.S.; revising the
54 timeline for the surplus lines agents' tax remittance;
55 amending s. 626.935, F.S.; conforming provisions to
56 changes made by the act; amending s. 627.7295, F.S.;
57 revising the timeframe for insurers' cancellation of
58 motor vehicle insurance policies or contracts for
59 nonpayment; amending s. 627.914, F.S.; requiring
60 certain workers' compensation insurers and self-
61 insurance funds to continue to report certain
62 information; authorizing such reporting to be
63 outsourced under certain circumstances; requiring the
64 office to approve a modified reporting plan;
65 authorizing the office to use certain information for
66 a specified purpose; amending ss. 634.171, 634.317,
67 and 634.419, F.S.; authorizing licensed personal lines
68 or general lines agents to advertise, solicit,
69 negotiate, or sell motor vehicle service agreements,
70 home warranties, and service warranties, respectively,
71 without a salesperson or sales representative license;
72 providing a directive to the Division of Law Revision;
73 creating s. 647.01, F.S.; providing purpose; providing
74 applicability; creating s. 647.02, F.S.; providing
75 definitions; creating s. 647.03, F.S.; providing

76 definitions; providing requirements for certain travel
77 insurance premiums for tax purposes; providing duties
78 of travel insurers; creating s. 647.04, F.S.;
79 authorizing travel protection plans to be offered
80 under certain circumstances; creating s. 647.05, F.S.;
81 providing requirements for documents provided to
82 consumers before the purchase of travel insurance;
83 providing requirements for disclosures of preexisting
84 condition exclusions in travel insurance policies and
85 certificates; providing requirements for fulfillment
86 materials and specified information; providing
87 circumstances under which travel protection plan
88 payments may be cancelled for a full refund; providing
89 practices that are not unfair trade practices or
90 violations of law; prohibiting certain practices;
91 providing that persons offering travel insurance to
92 residents of this state are subject to the Unfair
93 Insurance Trade Practices Act; providing that
94 specified provisions supersede such act; providing
95 practices that are unfair insurance trade practices;
96 creating s. 647.06, F.S.; prohibiting certain persons
97 from representing themselves as travel administrators;
98 exempting travel administrators and their employees
99 from certain licensing requirements; providing
100 insurers' responsibilities relating to travel

101 administrators; creating s. 647.07, F.S.; providing
 102 classification and filing of travel insurance for
 103 purposes of rates and forms; authorizing travel
 104 insurance programs to be developed and provided based
 105 on specified travel protection plans; creating s.
 106 647.08, F.S.; requiring the Department of Financial
 107 Services to adopt rules; providing contingent effect;
 108 providing an effective date.

109
 110 Be It Enacted by the Legislature of the State of Florida:

111
 112 Section 1. Paragraph (c) of subsection (2) of section
 113 215.555, Florida Statutes, is amended to read:

114 215.555 Florida Hurricane Catastrophe Fund.—

115 (2) DEFINITIONS.—As used in this section:

116 (c) "Covered policy" means any insurance policy covering
 117 residential property in this state, including, but not limited
 118 to, any homeowner, mobile home owner, farm owner, condominium
 119 association, condominium unit owner, tenant, or apartment
 120 building policy, or any other policy covering a residential
 121 structure or its contents issued by any authorized insurer,
 122 including a commercial self-insurance fund holding a certificate
 123 of authority issued by the Office of Insurance Regulation under
 124 s. 624.462, the Citizens Property Insurance Corporation, and any
 125 joint underwriting association or similar entity created under

126 law. The term "covered policy" includes any collateral
127 protection insurance policy covering personal residences which
128 protects both the borrower's and the lender's financial
129 interests, in an amount at least equal to the coverage for the
130 dwelling in place under the lapsed homeowner's policy, or in an
131 amount at least equal to the coverage amount requested by the
132 lender if the homeowner has been notified in writing of the
133 coverage amount and the homeowner has not requested that the
134 insurer issue the policy in a different amount, if such policy
135 can be accurately reported as required in subsection (5).
136 Additionally, covered policies include policies covering the
137 peril of wind removed from the Florida Residential Property and
138 Casualty Joint Underwriting Association or from the Citizens
139 Property Insurance Corporation, created under s. 627.351(6), or
140 from the Florida Windstorm Underwriting Association, created
141 under s. 627.351(2), by an authorized insurer under the terms
142 and conditions of an executed assumption agreement between the
143 authorized insurer and such association or Citizens Property
144 Insurance Corporation. Each assumption agreement between the
145 association and such authorized insurer or Citizens Property
146 Insurance Corporation must be approved by the Office of
147 Insurance Regulation before the effective date of the
148 assumption, and the Office of Insurance Regulation must provide
149 written notification to the board within 15 working days after
150 such approval. "Covered policy" does not include any policy that

151 excludes wind coverage or hurricane coverage or any reinsurance
152 agreement and does not include any policy otherwise meeting this
153 definition which is issued by a surplus lines insurer or a
154 reinsurer. All commercial residential excess policies and all
155 deductible buy-back policies that, based on sound actuarial
156 principles, require individual ratemaking shall be excluded by
157 rule if the actuarial soundness of the fund is not jeopardized.
158 For this purpose, the term "excess policy" means a policy that
159 provides insurance protection for large commercial property
160 risks and that provides a layer of coverage above a primary
161 layer insured by another insurer.

162 Section 2. Subsection (5) of section 316.646, Florida
163 Statutes, is renumbered as subsection (6), and a new subsection
164 (5) is added to that section, to read:

165 316.646 Security required; proof of security and display
166 thereof.—

167 (5) Eighteen months after implementation of the motor
168 vehicle insurance online verification system established in s.
169 324.252, a law enforcement officer, during a traffic stop or
170 crash investigation, shall access information from the online
171 verification system to establish compliance with this chapter
172 and chapter 324.

173 Section 3. Paragraph (f) is added to subsection (5) of
174 section 320.02, Florida Statutes, to read:

175 320.02 Registration required; application for

176 registration; forms.—

177 (5)

178 (f) Upon implementation of the motor vehicle insurance
179 online verification system established in s. 324.252, the online
180 verification may be used in lieu of the verification procedures
181 in this subsection.

182 Section 4. Section 324.252, Florida Statutes, is created
183 to read:

184 324.252 Insurance online verification system.—The
185 department shall establish an online verification system for
186 motor vehicle insurance. The goal of the system is to identify
187 uninsured motorists and aid the department in the enforcement of
188 the financial responsibility law.

189 (1) The online verification system must:

190 (a) Be accessible through electronic means for use by any
191 government agency, including any court or law enforcement
192 agency, in carrying out its functions; any private person or
193 entity acting on behalf of a federal, state, or local agency in
194 carrying out its functions; any other entity authorized by the
195 department; and any insurer authorized by the Office of
196 Insurance Regulation to provide motor vehicle insurance. The
197 department may also establish a web portal or other mechanism
198 that provides the general public with the ability to confirm
199 whether a particular motor vehicle is currently insured.

200 (b) In real time, send requests to insurers for

201 verification of evidence of insurance for motor vehicles
202 registered in this state, and receive confirmation in real time
203 from insurers via electronic means consistent with the
204 specifications and standards of the Insurance Industry Committee
205 on Motor Vehicle Administration (IICMVA), with enhancements,
206 additions, and modifications as required by the department.
207 However, the enhancements, additions, and modifications may not
208 conflict with, nullify, or add requirements that are materially
209 inconsistent with the specifications or standards of the IICMVA.

210 (c) Be operational within 3 years after this section
211 becomes effective. The Motor Vehicle Insurance Online
212 Verification Task Force established in s. 324.255 must conduct a
213 pilot program for at least 9 months to test the system before
214 statewide use. The system may not be used in any enforcement
215 action until successful completion of the pilot program.

216 (d) Be available 24 hours a day, except as provided in
217 paragraph (2)(a), to verify the insurance status of any vehicle
218 registered in this state through the insurer's National
219 Association of Insurance Commissioners (NAIC) company code or
220 Florida company code in combination with other identifiers,
221 including vehicle identification number, car make, car model,
222 year, registered owner's name, policy number, levels or types of
223 coverage, or other characteristics or markers as specified by
224 the Motor Vehicle Insurance Online Verification Task Force.

225 (e) Include appropriate safeguards and controls to prevent

226 misuse or unauthorized access.

227 (f) Include a disaster recovery plan to ensure service
228 continuity in the event of a disaster.

229 (g) Include information that enables the department to
230 make inquiries of evidence of insurance by using multiple data
231 elements for greater matching accuracy, specifically the
232 insurer's NAIC company code, in combination with other
233 identifiers such as vehicle identification number, policy
234 number, or other characteristics or markers as specified by the
235 Motor Vehicle Insurance Online Verification Task Force or the
236 department.

237 (h) Include a self-reporting mechanism for insurers with
238 fewer than 2,000 vehicles insured within this state or for
239 individual entities that are self-insured.

240 (2) The department has the following powers and duties:

241 (a) Upon an insurer's advance notice to the department,
242 the department shall allow online services established by the
243 insurer to have reasonable downtime for system maintenance and
244 other work, as needed. An insurer is not subject to
245 administrative penalties or disciplinary actions when its online
246 services are not available under such circumstances or when an
247 outage is unplanned by the insurer and is reasonably outside its
248 control.

249 (b) Upon recommendation of the Motor Vehicle Insurance
250 Online Verification Task Force, the department may develop and

251 operate its own system or competitively procure a private vendor
252 that has personnel with extensive operational and management
253 experience in the development, deployment, and operation of
254 insurance online verification systems.

255 (c) The department and its private vendor, if any, shall
256 each maintain a contact person for the insurers during the
257 establishment, implementation, and operation of the system.

258 (d) The department may enter into agreements governing the
259 use of the system with any public or private entity accessing
260 the system to verify insurance coverage.

261 (e) The department shall maintain a historical record of
262 the system data for 3 years after the date of any verification
263 request and response.

264 (3) An insurance company authorized to issue insurance
265 policies for motor vehicles registered in this state:

266 (a) Shall comply with the verification requirements of
267 motor vehicle insurance for every motor vehicle insured by that
268 company in this state.

269 (b) Shall maintain policyholder records in order to
270 confirm insurance coverage for 3 years after the date of any
271 verification request and response.

272 (c) Shall cooperate with the department in establishing,
273 implementing, and maintaining the system.

274 (d) Is immune from civil liability for good faith efforts
275 to comply with this section. An online verification request or

276 response may not be used as the basis of a civil action against
 277 an insurer.

278 (4) A law enforcement officer, during a traffic stop or
 279 crash investigation, shall query information from the online
 280 verification system to establish compliance with this chapter.

281 (5) This section does not apply to vehicles insured under
 282 commercial motor vehicle coverage. As used in this subsection,
 283 the term "commercial motor vehicle coverage" means any coverage
 284 provided to an insured under a commercial coverage form and
 285 rated from a commercial manual approved by the Office of
 286 Insurance Regulation. However, insurers of such vehicles may
 287 participate in the online verification system on a voluntary
 288 basis.

289 (6) The department may adopt rules to administer this
 290 section.

291 Section 5. Section 324.255, Florida Statutes, is created
 292 to read:

293 324.255 Motor Vehicle Insurance Online Verification Task
 294 Force.—There is created the Motor Vehicle Insurance Online
 295 Verification Task Force within the department.

296 (1) The task force shall:

297 (a) Facilitate the implementation of the motor vehicle
 298 insurance online verification system established in s. 324.252.

299 (b) Assist in the development of a detailed guide for
 300 insurers by providing data fields and other information

301 necessary for compliance with the online verification system.

302 (c) Coordinate a pilot program and conduct the program for
303 at least 9 months to test the online verification system and
304 identify necessary changes to be implemented before statewide
305 use.

306 (d) Issue recommendations based on periodic reviews of the
307 online verification system.

308 (2) The task force shall consist of 10 voting members and
309 one nonvoting member.

310 (a) By July 31 of the year this section becomes effective,
311 the 10 voting members shall be appointed in the following
312 manner:

313 1. Three representatives of the department, representing
314 the Florida Highway Patrol, the Division of Motorist Services,
315 and the Information Systems Administration, appointed by the
316 executive director of the department.

317 2. One representative of the Office of Insurance
318 Regulation, appointed by the Commissioner of Insurance.

319 3. Three representatives of the motor vehicle insurance
320 industry, appointed by the Chief Financial Officer as follows:

321 a. One member must represent the motor vehicle insurer
322 with the largest national market share as of December 31 of the
323 year prior to the appointment.

324 b. One member must represent the motor vehicle insurer
325 with the largest Florida market share as of December 31 of the

326 year prior to the appointment.

327 c. One member must be selected from a list of
328 representatives recommended by the Insurance Industry Committee
329 on Motor Vehicle Administration.

330 4. One representative of the Department of Financial
331 Services, appointed by the Chief Financial Officer.

332 5. One representative of the Division of State Technology,
333 appointed by the secretary of the Department of Management
334 Services.

335 6. One member who must be a member of local law
336 enforcement, appointed by the executive director of the
337 department.

338 (b) The executive director of the department, who shall be
339 a nonvoting member, shall serve as chair of the task force.

340 (3) By September 30 of the year this section becomes
341 effective, the task force shall meet to establish procedures for
342 the conduct of its business, and the voting members shall elect
343 a vice chair at that meeting. The task force shall meet at the
344 call of the chair, who shall prepare the agenda for each meeting
345 with the consent of the task force. A majority of the voting
346 members of the task force constitutes a quorum, and a quorum is
347 necessary for the purpose of voting on any action or
348 recommendation of the task force. All meetings shall be held in
349 Tallahassee.

350 (4) The department shall provide the task force members

351 with administrative and technical support. Task force members
352 shall serve without compensation and are not entitled to
353 reimbursement for per diem or travel expenses.

354 (5) By July 1 of the third year after this section becomes
355 effective, the task force shall complete its work and submit its
356 final report evaluating the online verification system's
357 effectiveness and making recommendations for system enhancements
358 to the department, the President of the Senate, and the Speaker
359 of the House of Representatives. Upon submission of the report,
360 the task force shall expire.

361 Section 6. Section 624.01, Florida Statutes, is amended to
362 read:

363 624.01 Short title.—Chapters 624-632, 634, 635, 636, 641,
364 642, 647, 648, and 651 constitute the "Florida Insurance Code."

365 Section 7. Paragraph (c) of subsection (1) of section
366 626.321, Florida Statutes, is amended to read:

367 626.321 Limited licenses and registration.—

368 (1) The department shall issue to a qualified applicant a
369 license as agent authorized to transact a limited class of
370 business in any of the following categories of limited lines
371 insurance:

372 (c) Travel insurance.—License covering only policies and
373 certificates of travel insurance which are subject to review by
374 the office. Policies and certificates of travel insurance may
375 provide coverage for travel insurance, as defined in s. 647.02

376 ~~risks incidental to travel, planned travel, or accommodations~~
377 ~~while traveling, including, but not limited to, accidental death~~
378 ~~and dismemberment of a traveler; trip or event cancellation,~~
379 ~~interruption, or delay; loss of or damage to personal effects or~~
380 ~~travel documents; damages to travel accommodations; baggage~~
381 ~~delay; emergency medical travel or evacuation of a traveler; or~~
382 ~~medical, surgical, and hospital expenses related to an illness~~
383 ~~or emergency of a traveler. Such policy or certificate may be~~
384 ~~issued for terms longer than 90 days, but, other than a policy~~
385 ~~or certificate providing coverage for air ambulatory services~~
386 ~~only, each policy or certificate must be limited to coverage for~~
387 ~~travel or use of accommodations of no longer than 90 days. The~~
388 ~~license may be issued only to an individual or business entity~~
389 ~~that has filed with the department an application for a license~~
390 ~~in a form and manner prescribed by the department.†~~

391 1. A limited lines travel insurance producer, as defined
392 s. 647.02, shall be licensed to sell, solicit, or negotiate
393 travel insurance through a licensed insurer.

394 2. A person may not act as a limited lines travel
395 insurance producer or travel retailer unless properly licensed
396 or registered, respectively. As used in this paragraph, the term
397 "travel retailer" means a business entity that:

398 a. Makes, arranges, or offers planned travel.

399 b. May, under subparagraph 3., offer and disseminate
400 travel insurance as a service to its customers on behalf of and

401 under the direction of a limited lines travel insurance
402 producer.

403 3. A travel retailer may offer and disseminate travel
404 insurance under a limited lines travel insurance producer
405 business entity license only if all of the following
406 requirements are met:

407 a. The limited lines travel insurance producer or travel
408 retailer provides to purchasers of travel insurance:

409 (I) A description of the material terms or the actual
410 material terms of the insurance coverage.

411 (II) A description of the process for filing a claim.

412 (III) A description of the review or cancellation process
413 for the travel insurance policy.

414 (IV) The identity and contact information of the insurer
415 and limited lines travel insurance producer.

416 b. At the time of licensure, the limited lines travel
417 insurance producer establishes and maintains a register on the
418 department's website and appoints each travel retailer that
419 offers travel insurance on behalf of the limited lines travel
420 insurance producer. The limited lines travel insurance producer
421 must maintain and update the register, which must include the
422 travel retailer's federal tax identification number and the
423 name, address, and contact information of the travel retailer
424 and an officer or person who directs or controls the travel
425 retailer's operations. The limited lines travel insurance

426 producer shall submit the register to the department upon
427 reasonable request. The limited lines travel insurance producer
428 shall also certify that the travel retailer register complies
429 with 18 U.S.C s. 1033. The grounds for the suspension and
430 revocation and the penalties applicable to resident insurance
431 producers under this section apply to the limited lines travel
432 insurance producers and travel retailers.

433 c. The limited lines travel insurance producer has
434 designated one of its employees as the designated responsible
435 producer. The designated responsible producer, who must be a
436 licensed insurance producer, is responsible for the compliance
437 with the travel insurance laws and regulations applicable to the
438 limited lines travel insurance producer and its registrants. The
439 designated responsible producer and the president, secretary,
440 treasurer, and any other officer or person who direct or control
441 the limited lines travel insurance producer's insurance
442 operations must comply with the fingerprinting requirements
443 applicable to insurance producers in the resident state of the
444 limited lines travel insurance producer.

445 d. The limited lines travel insurance producer has paid
446 all applicable licensing and appointment fees as set forth in
447 applicable general law.

448 e. The limited lines travel insurance producer requires
449 each employee and each authorized representative of the travel
450 retailer whose duties include offering and disseminating travel

451 insurance to receive a program of instruction or training, which
452 is subject, at the discretion of the department, to review and
453 approval. The training material must, at a minimum, contain
454 adequate instructions on the types of insurance offered, ethical
455 sales practices, and required disclosures to prospective
456 purchasers.

457
458 As used in this paragraph, the term "offer and disseminate"
459 means to provide general information, including a description of
460 the coverage and price, as well as processing the application
461 and collecting premiums.

462 4. A travel retailer offering or disseminating travel
463 insurance shall make available to prospective purchasers
464 brochures or other written materials that have been approved by
465 the travel insurer. Such materials must include information
466 that, at a minimum:

467 a. Provides the identity and contact information of the
468 insurer and the limited lines travel insurance producer.

469 b. Explains that the purchase of travel insurance is not
470 required in order to purchase any other product or service from
471 the travel retailer.

472 c. Explains that a travel retailer is authorized to
473 provide only general information about the insurance offered by
474 the travel retailer, including a description of the coverage and
475 price, but is not qualified or authorized to answer technical

476 questions about the terms and conditions of the insurance
477 offered by the travel retailer or to evaluate the adequacy of
478 the customer's existing insurance coverage.

479 5. A travel retailer employee or authorized representative
480 who is not licensed as an insurance producer may not:

481 a. Evaluate or interpret the technical terms, benefits,
482 and conditions of the offered travel insurance coverage;

483 b. Evaluate or provide advice concerning a prospective
484 purchaser's existing insurance coverage; or

485 c. Hold himself or herself or the travel retailer out as a
486 licensed insurer, licensed producer, or insurance expert.

487
488 Notwithstanding any other provision of law, a travel retailer
489 whose insurance-related activities, and those of its employees
490 and authorized representatives, are limited to offering and
491 disseminating travel insurance on behalf of and under the
492 direction of a limited lines travel insurance producer meeting
493 the conditions in this section may receive related compensation
494 upon registration by the limited lines travel insurance producer
495 as described in paragraph (2) (b).

496 6. As the insurer's designee, the limited lines travel
497 insurance producer is responsible for the acts of the travel
498 retailer and shall use reasonable means to ensure compliance by
499 the travel retailer with this section.

500 7. Any person licensed as a general lines or personal

501 lines insurance agent may sell, solicit, and negotiate travel
502 insurance.

503 ~~1. To a full-time salaried employee of a common carrier or~~
504 ~~a full-time salaried employee or owner of a transportation~~
505 ~~ticket agency and may authorize the sale of such ticket policies~~
506 ~~only in connection with the sale of transportation tickets, or~~
507 ~~to the full-time salaried employee of such an agent. Such policy~~
508 ~~may not be for more than 48 hours or more than the duration of a~~
509 ~~specified one-way trip or round trip.~~

510 ~~2. To an entity or individual that is:~~

511 ~~a. The developer of a timeshare plan that is the subject~~
512 ~~of an approved public offering statement under chapter 721;~~

513 ~~b. An exchange company operating an exchange program~~
514 ~~approved under chapter 721;~~

515 ~~c. A managing entity operating a timeshare plan approved~~
516 ~~under chapter 721;~~

517 ~~d. A seller of travel as defined in chapter 559; or~~

518 ~~e. A subsidiary or affiliate of any of the entities~~
519 ~~described in sub-subparagraphs a.-d.~~

520 ~~3. To a full-time salaried employee of a licensed general~~
521 ~~lines agent or a business entity that offers travel planning~~
522 ~~services if insurance sales activities authorized by the license~~
523 ~~are in connection with, and incidental to, travel.~~

524 ~~a. A license issued to a business entity that offers~~
525 ~~travel planning services must encompass each office, branch~~

526 ~~office, or place of business making use of the entity's business~~
527 ~~name in order to offer, solicit, and sell insurance pursuant to~~
528 ~~this paragraph.~~

529 ~~b. The application for licensure must list the name,~~
530 ~~address, and phone number for each office, branch office, or~~
531 ~~place of business that is to be covered by the license. The~~
532 ~~licensee shall notify the department of the name, address, and~~
533 ~~phone number of any new location that is to be covered by the~~
534 ~~license before the new office, branch office, or place of~~
535 ~~business engages in the sale of insurance pursuant to this~~
536 ~~paragraph. The licensee shall notify the department within 30~~
537 ~~days after the closing or terminating of an office, branch~~
538 ~~office, or place of business. Upon receipt of the notice, the~~
539 ~~department shall delete the office, branch office, or place of~~
540 ~~business from the license.~~

541 ~~e. A licensed and appointed entity is directly responsible~~
542 ~~and accountable for all acts of the licensee's employees and~~
543 ~~parties with whom the licensee has entered into a contractual~~
544 ~~agreement to offer travel insurance.~~

545
546 ~~A licensee shall require each individual who offers policies or~~
547 ~~certificates under subparagraph 2. or subparagraph 3. to receive~~
548 ~~initial training from a general lines agent or an insurer~~
549 ~~authorized under chapter 624 to transact insurance within this~~
550 ~~state. For an entity applying for a license as a travel~~

551 ~~insurance agent, the fingerprinting requirement of this section~~
552 ~~applies only to the president, secretary, and treasurer and to~~
553 ~~any other officer or person who directs or controls the travel~~
554 ~~insurance operations of the entity.~~

555 Section 8. Section 626.931, Florida Statutes, is amended
556 to read:

557 626.931 ~~Agent affidavit and Insurer reporting~~
558 ~~requirements.-~~

559 ~~(1) Each surplus lines agent that has transacted business~~
560 ~~during a calendar quarter shall on or before the 45th day~~
561 ~~following the calendar quarter file with the Florida Surplus~~
562 ~~Lines Service Office an affidavit, on forms as prescribed and~~
563 ~~furnished by the Florida Surplus Lines Service Office, stating~~
564 ~~that all surplus lines insurance transacted by him or her during~~
565 ~~such calendar quarter has been submitted to the Florida Surplus~~
566 ~~Lines Service Office as required.~~

567 ~~(2) The affidavit of the surplus lines agent shall include~~
568 ~~efforts made to place coverages with authorized insurers and the~~
569 ~~results thereof.~~

570 (1)~~(3)~~ Each foreign insurer accepting premiums shall, on
571 or before the end of the month following each calendar quarter,
572 file with the Florida Surplus Lines Service Office a verified
573 report of all surplus lines insurance transacted by such insurer
574 for insurance risks located in this state during such calendar
575 quarter.

576 (2)~~(4)~~ Each alien insurer accepting premiums shall, on or
 577 before June 30 of each year, file with the Florida Surplus Lines
 578 Service Office a verified report of all surplus lines insurance
 579 transacted by such insurer for insurance risks located in this
 580 state during the preceding calendar year.

581 (3)~~(5)~~ The department may waive the filing requirements
 582 described in subsections (1) ~~(3)~~ and (2) ~~(4)~~.

583 (4)~~(6)~~ Each insurer's report and supporting information
 584 shall be in a computer-readable format as determined by the
 585 Florida Surplus Lines Service Office or shall be submitted on
 586 forms prescribed by the Florida Surplus Lines Service Office and
 587 shall show for each applicable agent:

588 (a) A listing of all policies, certificates, cover notes,
 589 or other forms of confirmation of insurance coverage or any
 590 substitutions thereof or endorsements thereto and the
 591 identifying number; and

592 (b) Any additional information required by the department
 593 or Florida Surplus Lines Service Office.

594 Section 9. Paragraph (a) of subsection (2) of section
 595 626.932, Florida Statutes, is amended to read:

596 626.932 Surplus lines tax.—

597 (2) (a) The surplus lines agent shall make payable to the
 598 department the tax related to each calendar quarter's business
 599 as reported to the Florida Surplus Lines Service Office, and
 600 remit the tax to the Florida Surplus Lines Service Office at the

601 same time as the fee payment required ~~provided for the filing of~~
602 ~~the quarterly affidavit,~~ under s. 626.9325 ~~s. 626.931~~. The
603 Florida Surplus Lines Service Office shall forward to the
604 department the taxes and any interest collected pursuant to
605 paragraph (b), within 10 days of receipt.

606 Section 10. Paragraph (d) of subsection (1) of section
607 626.935, Florida Statutes, is amended to read:

608 626.935 Suspension, revocation, or refusal of surplus
609 lines agent's license.—

610 (1) The department shall deny an application for, suspend,
611 revoke, or refuse to renew the appointment of a surplus lines
612 agent and all other licenses and appointments held by the
613 licensee under this code, on any of the following grounds:

614 ~~(d) Failure to make and file his or her affidavit or~~
615 ~~reports when due as required by s. 626.931.~~

616 Section 11. Subsection (4) of section 627.7295, Florida
617 Statutes, is amended to read:

618 627.7295 Motor vehicle insurance contracts.—

619 (4) The insurer may cancel the policy in accordance with
620 this code except that, notwithstanding s. 627.728, an insurer
621 may not cancel a new policy or binder during the first 30 ~~60~~
622 days immediately following the effective date of the policy or
623 binder for nonpayment of premium unless the reason for the
624 cancellation is the issuance of a check for the premium that is
625 dishonored for any reason or any other type of premium payment

626 that was subsequently determined to be rejected or invalid.

627 Section 12. Subsection (4) of section 627.914, Florida
 628 Statutes, is renumbered as subsection (5), subsections (2) and
 629 (3) of that section are amended, and a new subsection (4) is
 630 added to that section, to read:

631 627.914 Reports of information by workers' compensation
 632 insurers required.—

633 (2) (a) Each insurer and self-insurance fund authorized to
 634 write a policy of workers' compensation insurance shall report
 635 ~~transmit~~ the following information annually on both Florida
 636 experience and nationwide experience separately:

- 637 1.(a) Payrolls by classification.
- 638 2.(b) Manual premiums by classification.
- 639 3.(c) Standard premiums by classification.
- 640 4.(d) Losses by classification and injury type.
- 641 5.(e) Expenses.

642
 643 An insurer or self-insurance fund that is placed in receivership
 644 pursuant to part I of chapter 631 must continue to report the
 645 information required under this paragraph. At the discretion of
 646 the receiver, the insurer or self-insurance fund may outsource
 647 the reporting of such information to a third-party reporting
 648 vendor. The office shall approve a modified reporting plan that
 649 is limited in terms of data elements.

650 (b) A report of the ~~this~~ information required under

651 paragraph (a) shall be filed no later than July 1 of each year.
652 All reports shall be filed in accordance with standard reporting
653 procedures for insurers, which procedures have received approval
654 by the office, and shall contain data for the most recent policy
655 period available. A statistical or rating organization may be
656 used by insurers and self-insurance funds to report the data
657 required by this section. The statistical or rating organization
658 shall report each data element in the aggregate only for
659 insurers and self-insurance funds required to report under this
660 section who elect to have the organization report on their
661 behalf. Such insurers and self-insurance funds shall be named in
662 the report.

663 (3) Individual self-insurers as defined in s. 440.02 shall
664 report only Florida data as prescribed in subparagraphs
665 (2) (a) 1.-5. ~~paragraphs (2) (a) - (e)~~ to the office.

666 (a) The office shall publish the dates and forms necessary
667 to enable individual self-insurers to comply with this section.

668 (b) A statistical or rating organization may be used by
669 individual self-insurers for the purposes of reporting the data
670 required by this section and calculating experience ratings.

671 (4) The office may use the information it receives under
672 this section in its adoption of rates and experience ratings
673 modifications.

674 Section 13. Section 634.171, Florida Statutes, is amended
675 to read:

676 634.171 Salesperson to be licensed and appointed.—
677 Salespersons for motor vehicle service agreement companies and
678 insurers shall be licensed, appointed, renewed, continued,
679 reinstated, or terminated as prescribed in chapter 626 for
680 insurance representatives in general. However, they shall be
681 exempt from all other provisions of chapter 626 including
682 fingerprinting, photo identification, education, and examination
683 provisions. License, appointment, and other fees shall be those
684 prescribed in s. 624.501. A licensed and appointed salesperson
685 shall be directly responsible and accountable for all acts of
686 her or his employees and other representatives. Each service
687 agreement company or insurer shall, on forms prescribed by the
688 department, within 30 days after termination of the appointment,
689 notify the department of such termination. An ~~No~~ employee or
690 salesperson of a motor vehicle service agreement company or
691 insurer may not directly or indirectly solicit or negotiate
692 insurance contracts, or hold herself or himself out in any
693 manner to be an insurance agent, unless so qualified, licensed,
694 and appointed therefor under the Florida Insurance Code. A
695 licensed personal lines or general lines agent is not required
696 to be licensed as a salesperson to advertise, solicit,
697 negotiate, or sell motor vehicle service agreements. A motor
698 vehicle service agreement company is not required to be licensed
699 as a salesperson to solicit, sell, issue, or otherwise transact
700 the motor vehicle service agreements issued by the motor vehicle

701 service agreement company.

702 Section 14. Section 634.317, Florida Statutes, is amended
703 to read:

704 634.317 License and appointment required.—A ~~No~~ person may
705 not solicit, negotiate, or effectuate home warranty contracts
706 for remuneration in this state unless such person is licensed
707 and appointed as a sales representative. A licensed and
708 appointed sales representative shall be directly responsible and
709 accountable for all acts of the licensee's employees. A licensed
710 personal lines or general lines agent is not required to be
711 licensed as a sales representative to advertise, solicit,
712 negotiate, or sell home warranties.

713 Section 15. Section 634.419, Florida Statutes, is amended
714 to read:

715 634.419 License and appointment required.—A ~~No~~ person or
716 entity may not ~~shall~~ solicit, negotiate, advertise, or
717 effectuate service warranty contracts in this state unless such
718 person or entity is licensed and appointed as a sales
719 representative. Sales representatives shall be responsible for
720 the actions of persons under their supervision. However, a
721 service warranty association licensed as such under this part
722 shall not be required to be licensed and appointed as a sales
723 representative to solicit, negotiate, advertise, or effectuate
724 its products. A licensed personal lines or general lines agent
725 is not required to be licensed as a sales representative to

726 advertise, solicit, negotiate, or sell service warranties.

727 Section 16. The Division of Law Revision is directed to
728 create chapter 647, Florida Statutes, consisting of ss. 647.01-
729 647.08, Florida Statutes, to be entitled "Travel Insurance."

730 Section 17. Section 647.01, Florida Statutes, is created
731 to read:

732 647.01 Purpose and scope.-

733 (1) The purpose of this chapter is to promote the public
734 welfare by creating a comprehensive legal framework within which
735 travel insurance may be sold in this state.

736 (2) This chapter applies to:

737 (a) Travel insurance that covers any resident of this
738 state and that is sold, solicited, negotiated, or offered in
739 this state.

740 (b) Policies and certificates that are delivered or issued
741 for delivery in this state.

742
743 This chapter does not apply to cancellation fee waivers or
744 travel assistance services, except as expressly provided in this
745 chapter.

746 (3) All other applicable provisions of the insurance laws
747 of this state continue to apply to travel insurance, except that
748 the specific provisions of this chapter shall supersede any
749 general provisions of law that would otherwise be applicable to
750 travel insurance.

751 Section 18. Section 647.02, Florida Statutes, is created
752 to read:

753 647.02 Definitions.—As used in this chapter, the term:

754 (1) "Aggregator site" means a website that provides access
755 to information regarding insurance products from more than one
756 insurer, including product and insurer information, for use in
757 comparison shopping.

758 (2) "Blanket travel insurance" means a policy of travel
759 insurance issued to an eligible group providing coverage to all
760 members of the eligible group without a separate charge to
761 individual members of the eligible group.

762 (3) "Cancellation fee waiver" means a contractual
763 agreement between a supplier of travel services and its customer
764 to waive some or all of the nonrefundable cancellation fee
765 provisions of the supplier's underlying travel contract with or
766 without regard to the reason for the cancellation or form of
767 reimbursement. A cancellation fee waiver is not insurance.

768 (4) "Eligible group," solely for the purposes of travel
769 insurance, means two or more persons who are engaged in a common
770 enterprise or who have an economic, educational, or social
771 affinity or relationship, including, but not limited to, any of
772 the following:

773 (a) An entity engaged in the business of providing travel
774 or travel services, including, but not limited to:

775 1. A tour operator, lodging provider, vacation property

776 owner, hotel, resort, travel club, travel agency, property
777 manager, and cultural exchange program.

778 2. An operator, owner, or lessor of a means of
779 transportation of passengers, including, but not limited to, a
780 common carrier, airline, cruise line, railroad, steamship
781 company, and public bus carrier.

782
783 With regard to any particular travel or type of travel or
784 travelers, all members or customers of the group must have a
785 common exposure to risk attendant to such travel.

786 (b) A university, college, school, or other institution of
787 learning, covering students, teachers, employees, or volunteers.

788 (c) An employer covering any group of employees,
789 volunteers, contractors, board of directors, dependents, or
790 guests.

791 (d) A sports team or camp, or a sponsor thereof, covering
792 participants, members, campers, employees, officials,
793 supervisors, or volunteers.

794 (e) A religious, charitable, recreational, educational, or
795 civic organization, or a branch thereof, covering any group of
796 members, participants, or volunteers.

797 (f) A financial institution or financial institution
798 vendor, or a parent holding company, trustee, or agent of or
799 designated by one or more financial institutions or financial
800 institution vendors, including account holders, credit card

801 holders, debtors, guarantors, or purchasers.

802 (g) An incorporated or unincorporated association,
803 including a labor union, having a common interest and
804 constitution and bylaws, which is organized and maintained in
805 good faith for purposes other than obtaining insurance coverage
806 for its members or participants.

807 (h) A trust or the trustees of a fund that covers its
808 members, employees, or customers and is established, created, or
809 maintained for the benefit of its members, employees, or
810 customers, subject to:

811 1. The department's authorizing the use of a trust.
812 2. The premium tax provisions in s. 647.03 applicable to
813 incorporated or unincorporated associations that have a common
814 interest and constitution and bylaws and that are organized and
815 maintained in good faith for purposes other than obtaining
816 insurance coverage for their members, employees, or customers.

817 (i) An entertainment production company covering any group
818 of participants, volunteers, audience members, contestants, or
819 workers.

820 (j) A volunteer fire department, ambulance, rescue,
821 police, court, first-aid, civil defense, or other such volunteer
822 group.

823 (k) A preschool, daycare institution for children or
824 adults, or senior citizen club.

825 (l) An automobile or truck rental or leasing company

826 covering a group of individuals who may become renters, lessees,
827 or passengers as defined by their travel status on the rented or
828 leased vehicles. The common carrier, the operator, owner, or
829 lessor of a means of transportation, or the motor vehicle or
830 truck rental or leasing company is the policyholder under a
831 policy to which this section applies.

832 (m) Any other group for which the department has made the
833 following determinations:

834 1. The group members are engaged in a common enterprise or
835 have an economic, educational, or social affinity or
836 relationship.

837 2. Issuance of the travel insurance policy is not contrary
838 to the public interest.

839 (5) "Fulfillment materials" means documentation sent to
840 the purchaser of a travel protection plan confirming the
841 purchase and providing the travel protection plan's coverage and
842 assistance details.

843 (6) "Group travel insurance" means travel insurance issued
844 to an eligible group.

845 (7) "Limited lines travel insurance producer" means:

846 (a) A licensed or third-party administrator;

847 (b) A licensed insurance producer, including a limited
848 lines producer; or

849 (c) A travel administrator.

850 (8) "Travel administrator" means a person who directly or

851 indirectly underwrites policies for, collects charges,
852 collateral, or premiums from, or adjusts or settles claims on,
853 residents of this state, in connection with travel insurance,
854 except that a person is not considered a travel administrator if
855 the person is:

856 (a) A person working for a travel administrator to the
857 extent that the person's activities are subject to the
858 supervision and control of the travel administrator;

859 (b) An insurance producer selling insurance or engaged in
860 administrative and claims-related activities within the scope of
861 the producer's license;

862 (c) A travel retailer, as defined s. 626.321(1)(c)2.,
863 offering and disseminating travel insurance and registered under
864 the license of a limited lines travel insurance producer in
865 accordance with s. 626.321(1)(c);

866 (d) A person adjusting or settling claims in the normal
867 course of the person's practice or employment as an attorney at
868 law, without collecting charges or premiums in connection with
869 insurance coverage; or

870 (e) A business entity that is affiliated with a licensed
871 insurer while acting as a travel administrator for the direct
872 and assumed insurance business of the affiliated insurer.

873 (9) "Travel assistance services" means noninsurance
874 services for which the consumer is not indemnified based on a
875 fortuitous event, and the provision of which does not result in

876 transfer or shifting of risk which would constitute the business
877 of insurance. The term includes, but is not limited to, security
878 advisories, destination information, vaccination and
879 immunization information services, travel reservation services,
880 entertainment, activity and event planning, translation
881 assistance, emergency messaging, international legal and medical
882 referrals, medical case monitoring, coordination of
883 transportation arrangements, emergency cash transfer assistance,
884 medical prescription replacement assistance, passport and travel
885 document replacement assistance, lost luggage assistance,
886 concierge services, and any other service that is furnished in
887 connection with planned travel. Travel assistance services are
888 not insurance and not related to insurance.

889 (10) "Travel insurance" means insurance coverage for
890 personal risks incidental to planned travel, including:
891 (a) Interruption or cancellation of trip or event;
892 (b) Loss of baggage or personal effects;
893 (c) Damages to accommodations or rental vehicles;
894 (d) Sickness, accident, disability, or death occurring
895 during travel;
896 (e) Emergency evacuation;
897 (f) Repatriation of remains; or
898 (g) Any other contractual obligations to indemnify or pay
899 a specified amount to the traveler upon determinable
900 contingencies related to travel as determined by the office.

901
 902 The term does not include major medical plans that provide
 903 comprehensive medical protection for travelers with trips
 904 lasting longer than 6 months, including major medical plans for
 905 those working or residing overseas as expatriates, or any other
 906 product that requires a specific insurance producer license.

907 (11) "Travel protection plan" means a plan that provides
 908 one or more of the following: travel insurance, travel
 909 assistance services, and cancellation fee waivers.

910 Section 19. Section 647.03, Florida Statutes, is created
 911 to read:

912 647.03 Premium tax.—

913 (1) As used in this section, the term:

914 (a) "Primary certificateholder" means an individual who
 915 purchases travel insurance under a group travel insurance
 916 policy.

917 (b) "Primary policyholder" means an individual who
 918 purchases individual travel insurance.

919 (2) A travel insurer shall pay the premium tax, as
 920 required under s. 624.509, on travel insurance premiums paid by
 921 any of the following:

922 (a) A primary policyholder who is a resident of this
 923 state.

924 (b) A primary certificateholder who is a resident of this
 925 state.

- 926 (c) A blanket travel insurance policyholder:
 927 1. Who is a resident in this state;
 928 2. Who has his or her principal place of business in this
 929 state; or
 930 3. Whose affiliate or subsidiary who has purchased blanket
 931 travel insurance for eligible blanket group members has his or
 932 her principal place of business in this state.

933
 934 The premium tax under this subsection is subject to any
 935 apportionment rules that apply to an insurer across multiple
 936 taxing jurisdictions or that authorize an insurer to allocate
 937 premium on an apportioned basis in a reasonable and equitable
 938 manner in those jurisdictions.

- 939 (3) A travel insurer shall:
 940 (a) Document the state of residence or principal place of
 941 business of the policyholder or certificateholder, or an
 942 affiliate or subsidiary thereof, as required under subsection
 943 (2).
 944 (b) Report as premium only the amount allocable to travel
 945 insurance and not any amounts received for travel assistance
 946 services or cancellation fee waivers.

947 Section 20. Section 647.04, Florida Statutes, is created
 948 to read:

949 647.04 Travel protection plans.—A travel protection plan
 950 may be offered for one price for the combined features that the

951 travel protection plan offers in this state if the travel
952 protection plan meets all of the following requirements:

953 (1) The travel protection plan clearly discloses to the
954 consumer, at or before the time of purchase, that it includes
955 travel insurance, travel assistance services, and cancellation
956 fee waivers, as applicable, and provides information and an
957 opportunity, at or before the time of purchase, for the consumer
958 to obtain additional information regarding the features and
959 pricing of each.

960 (2) The fulfillment materials:

961 (a) Describe and delineate the travel insurance, travel
962 assistance services, and cancellation fee waivers in the travel
963 protection plan.

964 (b) Include the travel insurance disclosures required in
965 this chapter, the contact information for persons providing
966 travel assistance services, and cancellation fee waivers, as
967 applicable.

968 Section 21. Section 647.05, Florida Statutes, is created
969 to read:

970 647.05 Sales practices.—

971 (1) (a) All documents provided to a consumer before the
972 purchase of travel insurance, including, but not limited to,
973 sales materials, advertising materials, and marketing materials,
974 must be consistent with the travel insurance policy, including,
975 but not limited to, forms, endorsements, policies, rate filings,

976 and certificates of insurance.

977 (b) For travel insurance policies or certificates that
978 contain preexisting condition exclusions, information and an
979 opportunity to learn more about the preexisting condition
980 exclusions must be provided any time before the purchase.
981 Information on the exclusions and the opportunity to learn more
982 about these exclusions must be included in the coverage's
983 fulfillment materials.

984 (c) The fulfillment materials and the information
985 described in s. 626.321(1)(c)3.a. must be provided to a
986 policyholder or certificateholder as soon as practicable after
987 the purchase of a travel protection plan. Unless the insured has
988 started a covered trip or filed a claim under the travel
989 insurance coverage, the policyholder or certificateholder may
990 cancel a policy or certificate for a full refund of the travel
991 protection plan price from the date of purchase of a travel
992 protection plan until at least:

993 1. Fifteen days after the date of delivery of the travel
994 protection plan's fulfillment materials by postal mail; or

995 2. Ten days after the date of delivery of the travel
996 protection plan's fulfillment materials by means other than
997 postal mail.

998
999 For the purposes of this paragraph, the term "delivery" means
1000 handing fulfillment materials to the policyholder or

1001 certificateholder or sending fulfillment materials by postal
1002 mail or electronic means to the policyholder or
1003 certificateholder.

1004 (d) An insurer shall disclose in the policy documentation
1005 and fulfillment materials whether the travel insurance is
1006 primary or secondary to other applicable coverage.

1007 (e) If travel insurance is marketed directly to a consumer
1008 through an insurer's website or by others through an aggregator
1009 site, it is not an unfair trade practice or other violation of
1010 law if the following requirements are met:

1011 1. The web page provides an accurate summary or short
1012 description of the coverage.

1013 2. The consumer has access to the full provisions of the
1014 policy through electronic means.

1015 (2) A person offering, soliciting, or negotiating travel
1016 insurance or travel protection plans on an individual or group
1017 basis may not do so by using a negative or opt-out option that
1018 would require a consumer to take an affirmative action to
1019 deselect coverage, such as unchecking a box on an electronic
1020 form, when the consumer purchases a trip.

1021 (3) If a consumer's destination jurisdiction requires
1022 insurance coverage, it is not an unfair trade practice to
1023 require that the consumer choose between the following options
1024 as a condition of purchasing a trip or travel package:

1025 (a) Purchasing the coverage required by the destination

1026 | jurisdiction through the travel retailer, as defined s.
 1027 | 626.321(1)(c)2., or limited lines travel insurance producer
 1028 | supplying the trip or travel package; or

1029 | (b) Agreeing to obtain and provide proof of coverage that
 1030 | meets the destination jurisdiction's requirements before
 1031 | departure.

1032 | (4)(a) A person offering travel insurance to residents of
 1033 | this state is subject to part IX of chapter 626, the Unfair
 1034 | Insurance Trade Practices Act, except as otherwise provided in
 1035 | this chapter. If a conflict arises between this chapter and the
 1036 | Unfair Insurance Trade Practices Act regarding the sale and
 1037 | marketing of travel insurance and travel protection plans, the
 1038 | provisions of this chapter shall control.

1039 | (b) A person commits an unfair insurance trade practice
 1040 | under the Unfair Insurance Trade Practices Act if the person:

1041 | 1. Offers or sells a travel insurance policy that could
 1042 | never result in payment of any claims for any insured under the
 1043 | policy; or

1044 | 2. Markets blanket travel insurance coverage as free.

1045 | Section 22. Section 647.06, Florida Statutes, is created
 1046 | to read:

1047 | 647.06 Travel administrators.—

1048 | (1) Notwithstanding any other provision of the Florida
 1049 | Insurance Code, a person may not act or represent himself or
 1050 | herself as a travel administrator in this state unless the

1051 person:

1052 (a) Is a licensed and appointed property and casualty

1053 insurance producer in this state for activities authorized under

1054 that producer license;

1055 (b) Is a licensed insurance agency, appointed as a

1056 managing general agent in this state; or

1057 (c) Holds a valid third-party administrator license in

1058 this state.

1059 (2) A travel administrator and its employees are exempt

1060 from the licensing requirements of part VI of chapter 626 for

1061 the travel insurance it administers.

1062 (3) An insurer is responsible for ensuring that a travel

1063 administrator administering travel insurance underwritten by the

1064 insurer:

1065 (a) Acts in accordance with this chapter.

1066 (b) Maintains all books and records that are relevant to

1067 the insurer and makes these books and records available to the

1068 department upon request.

1069 Section 23. Section 647.07, Florida Statutes, is created

1070 to read:

1071 647.07 Travel insurance policy.-

1072 (1) Notwithstanding any other provision of the Florida

1073 Insurance Code, travel insurance shall be classified and filed

1074 for purposes of rates and forms under the inland marine line of

1075 insurance; however, travel insurance that provides coverage for

1076 sickness, accident, disability, or death occurring during
1077 travel, either exclusively or in conjunction with related
1078 coverages of emergency evacuation or repatriation of remains, or
1079 incidental limited property and casualty benefits such as
1080 baggage or trip cancellation, may be classified and filed for
1081 purposes of rates and forms under either the accident and health
1082 line of insurance or the inland marine line of insurance.

1083 (2) Travel insurance may be in the form of an individual,
1084 group travel insurance, or blanket policy. Group travel
1085 insurance or blanket policies are classified as commercial
1086 inland marine insurance under s. 627.021(2)(d). Travel insurance
1087 policies not issued to a commercial entity and primarily used
1088 for personal, family, or household purposes are considered
1089 personal inland marine insurance and are not subject to s.
1090 627.062. Sections of policies or endorsements for travel
1091 insurance that are considered personal inland marine consisting
1092 of travel assistance services or cancellation fee waivers are
1093 not subject to s. 627.410.

1094 (3) Travel insurance programs may be developed and
1095 provided based on travel protection plans designed for
1096 individual or identified marketing or distribution channels.

1097 Section 24. Section 647.08, Florida Statutes, is created
1098 to read:

1099 647.08 Rulemaking authority.—The department shall adopt
1100 rules to administer this chapter.

1101 Section 25. The amendments made by this act to ss. 316.646
1102 and 320.02, Florida Statutes, and the creation of ss. 324.252
1103 and 324.255, Florida Statutes, by this act shall take effect
1104 upon a specific appropriation.

1105 Section 26. This act shall take effect July 1, 2020.