

1                   A bill to be entitled  
2           An act relating to insurance; amending s. 215.555,  
3           F.S.; redefining the term "covered policy" under the  
4           Florida Hurricane Catastrophe Fund in relation to  
5           certain collateral protection insurance policies;  
6           amending s. 624.423, F.S.; specifying when service of  
7           process is valid and binding upon insurers; creating  
8           s. 624.46227, F.S.; authorizing an association, trust,  
9           or pool created for the purpose of forming a risk  
10          management mechanism or providing self-insurance for a  
11          public entity to establish a quorum and conduct public  
12          business through communications media technology;  
13          amending s. 626.7351, F.S.; revising a qualification  
14          for licensure as a customer representative; amending  
15          s. 626.856, F.S.; revising the definition of the term  
16          "company employee adjuster"; amending s. 626.9202,  
17          F.S.; revising the definition of the term "loss run  
18          statement"; specifying the entities that must receive  
19          requests for loss run statements; specifying that  
20          insurers must provide loss run statements under  
21          certain circumstances; revising the required claims  
22          history in loss run statements; providing  
23          applicability; limiting loss run statement requests  
24          with respect to group health insurance policies to  
25          group policyholders; amending s. 627.062, F.S.;

26 | revising the factors for determining whether an  
27 | insurance rate filing is excessive, inadequate, or  
28 | unfairly discriminatory; amending s. 627.0629, F.S.;  
29 | authorizing, rather than requiring, rate filings for  
30 | certain residential property insurance to include  
31 | certain rate factors; authorizing insurers to file  
32 | certain insurance rating plans based on certain  
33 | windstorm mitigation construction standards; amending  
34 | s. 627.072, F.S.; providing a ratemaking factor for  
35 | workers' compensation and employer's liability  
36 | insurance; amending s. 627.351, F.S.; revising  
37 | conditions for determining the ineligibility of  
38 | condominiums for wind-only coverage; amending s.  
39 | 627.421, F.S.; authorizing insurers to electronically  
40 | transmit policy documents and claims communications  
41 | under certain circumstances; amending s. 627.444,  
42 | F.S.; revising the definition of the term "loss run  
43 | statement"; specifying the entities that must receive  
44 | requests for loss run statements; specifying that  
45 | insurers must provide loss run statements under  
46 | certain circumstances; revising the required claims  
47 | history in loss run statements; providing  
48 | applicability; limiting loss run statement requests  
49 | with respect to group health insurance policies to  
50 | group policyholders; repealing s. 627.6647, F.S.,

51 relating to the release of information required for  
52 bid to group health insurance policyholders; amending  
53 s. 627.715, F.S.; providing an exemption from a  
54 diligent effort requirement for agents exporting  
55 contracts or endorsements providing flood coverage;  
56 amending s. 627.7152, F.S.; revising the definition of  
57 the term "assignment agreement"; specifying the  
58 addresses to which a notice of intent to initiate  
59 litigation must be served; amending s. 627.7276, F.S.;  
60 revising notice requirements for motor vehicle  
61 policies that do not provide coverage for bodily  
62 injury and property damage liability; amending ss.  
63 634.171, 634.317, and 634.419, F.S.; authorizing  
64 licensed personal lines or general lines agents to  
65 solicit, negotiate, advertise, or sell motor vehicle  
66 service agreements, home warranty contracts, and  
67 service warranties, respectively, without a sales  
68 representative license; reenacting s. 627.7153(1) and  
69 (2) (d), F.S., relating to policies restricting  
70 assignment of post-loss benefits under a property  
71 insurance policy, to incorporate the amendment made by  
72 the act to s. 627.7152, F.S., in references thereto;  
73 providing effective dates.

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75 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Effective June 1, 2021, paragraph (c) of subsection (2) of section 215.555, Florida Statutes, is amended to read:

215.555 Florida Hurricane Catastrophe Fund.—

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

(c) "Covered policy" means any insurance policy covering residential property in this state, including, but not limited to, any homeowner, mobile home owner, farm owner, condominium association, condominium unit owner, tenant, or apartment building policy, or any other policy covering a residential structure or its contents issued by any authorized insurer, including a commercial self-insurance fund holding a certificate of authority issued by the Office of Insurance Regulation under s. 624.462, the Citizens Property Insurance Corporation, and any joint underwriting association or similar entity created under law. The term "covered policy" includes any collateral protection insurance policy covering personal residences which protects both the borrower's and the lender's financial interests, in an amount at least equal to the coverage amount for the dwelling in place under the lapsed homeowner's policy, the coverage amount that the homeowner has been notified of, or the coverage amount the homeowner requests from the collateral protection insurer, if such collateral protection insurance policy can be accurately reported as required in subsection (5).

101 Additionally, covered policies include policies covering the  
102 peril of wind removed from the Florida Residential Property and  
103 Casualty Joint Underwriting Association or from the Citizens  
104 Property Insurance Corporation, created under s. 627.351(6), or  
105 from the Florida Windstorm Underwriting Association, created  
106 under s. 627.351(2), by an authorized insurer under the terms  
107 and conditions of an executed assumption agreement between the  
108 authorized insurer and such association or Citizens Property  
109 Insurance Corporation. Each assumption agreement between the  
110 association and such authorized insurer or Citizens Property  
111 Insurance Corporation must be approved by the Office of  
112 Insurance Regulation before the effective date of the  
113 assumption, and the Office of Insurance Regulation must provide  
114 written notification to the board within 15 working days after  
115 such approval. "Covered policy" does not include any policy that  
116 excludes wind coverage or hurricane coverage or any reinsurance  
117 agreement and does not include any policy otherwise meeting this  
118 definition which is issued by a surplus lines insurer or a  
119 reinsurer. All commercial residential excess policies and all  
120 deductible buy-back policies that, based on sound actuarial  
121 principles, require individual ratemaking shall be excluded by  
122 rule if the actuarial soundness of the fund is not jeopardized.  
123 For this purpose, the term "excess policy" means a policy that  
124 provides insurance protection for large commercial property  
125 risks and that provides a layer of coverage above a primary

126 layer insured by another insurer.

127 Section 2. Effective upon this act becoming a law,  
 128 subsection (3) of section 624.423, Florida Statutes, is amended  
 129 to read:

130 624.423 Serving process.—

131 (3) Service of process is valid and binding upon the  
 132 insurer on the date process served upon the Chief Financial  
 133 Officer is delivered to the insurer and sent or the insurer has  
 134 been notified such information has been made available on a  
 135 secured network in accordance with this section and s.

136 ~~624.307(9) shall for all purposes constitute valid and binding~~  
 137 ~~service thereof upon the insurer.~~

138 Section 3. Section 624.46227, Florida Statutes, is created  
 139 to read:

140 624.46227 Meeting requirements.—Any association, trust, or  
 141 pool authorized by state law and created for the purpose of  
 142 forming a risk management mechanism or providing self-insurance  
 143 for public entities in this state may establish a quorum and  
 144 conduct public business through communications media technology.

145 Section 4. Subsection (3) of section 626.7351, Florida  
 146 Statutes, is amended to read:

147 626.7351 Qualifications for customer representative's  
 148 license.—The department shall not grant or issue a license as  
 149 customer representative to any individual found by it to be  
 150 untrustworthy or incompetent, or who does not meet each of the

151 following qualifications:

152 (3) Within 4 years preceding the date that the application  
153 for license was filed with the department, the applicant has  
154 earned the designation of Accredited Advisor in Insurance (AAI),  
155 Associate in General Insurance (AINS), or Accredited Customer  
156 Service Representative (ACSR) from the Insurance Institute of  
157 America; the designation of Certified Insurance Counselor (CIC)  
158 from the Society of Certified Insurance Service Counselors; the  
159 designation of Certified Professional Service Representative  
160 (CPSR) from the National Foundation for CPSR; the designation of  
161 Certified Insurance Service Representative (CISR) from the  
162 Society of Certified Insurance Service Representatives; the  
163 designation of Certified Insurance Representative (CIR) from  
164 All-Lines Training; the designation of Insurance Customer  
165 Service Representative (ICSR) from Statewide Insurance  
166 Associates LLC; the designation of Professional Customer Service  
167 Representative (PCSR) from the Professional Career Institute;  
168 the designation of Registered Customer Service Representative  
169 (RCSR) from a regionally accredited postsecondary institution in  
170 the state whose curriculum is approved by the department and  
171 includes comprehensive analysis of basic property and casualty  
172 lines of insurance and testing which demonstrates mastery of the  
173 subject; or a degree from an accredited institution of higher  
174 learning approved by the department when the degree includes a  
175 minimum of 9 credit hours of insurance instruction, including

176 specific instruction in the areas of property, casualty, and  
 177 inland marine insurance. The department shall adopt rules  
 178 establishing standards for the approval of curriculum.

179 Section 5. Section 626.856, Florida Statutes, is amended  
 180 to read:

181 626.856 "Company employee adjuster" defined.—A "company  
 182 employee adjuster" means a person licensed as an all-lines  
 183 adjuster who is appointed and employed on an insurer's staff of  
 184 adjusters, by an affiliate, or by a wholly owned subsidiary of  
 185 the insurer, and who undertakes on behalf of such insurer or  
 186 other insurers under common control or ownership to ascertain  
 187 and determine the amount of any claim, loss, or damage payable  
 188 under a contract of insurance, or undertakes to effect  
 189 settlement of such claim, loss, or damage.

190 Section 6. Effective upon this act becoming a law,  
 191 subsections (1), (2), and (4) of section 626.9202, Florida  
 192 Statutes, are amended, and subsections (7) and (8) are added to  
 193 that section, to read:

194 626.9202 Loss run statements for all lines of insurance.—

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

196 (a) "Loss run statement" means a report that contains the  
 197 policy number, the period of coverage, the number of claims, the  
 198 paid losses on all claims, and the date of each loss. The term  
 199 does not include supporting claim file documentation, including,  
 200 but not limited to, copies of claim files, investigation

201 reports, evaluation statements, insureds' statements, and  
202 documents protected by a common law or statutory privilege. As  
203 applied to group health insurance, the term means a report that  
204 also contains the premiums paid, the number of insureds on a  
205 monthly basis, and the dependent status.

206 (b) "Provide" means to electronically send a document or  
207 to allow access through an electronic portal to view or generate  
208 a document.

209 (2) Notwithstanding any other law, an insurer shall  
210 provide to an insured within 15 calendar days after an  
211 individual or entity designated by the insurer receives receipt  
212 ~~of~~ the insured's written request, either:

213 (a) A loss run statement; or

214 (b) For personal lines of insurance, information on how to  
215 obtain a loss run statement at no charge through a consumer  
216 reporting agency. However, this section does not prohibit an  
217 insured from requesting a loss run statement after receiving  
218 information from a consumer reporting agency, in which case the  
219 insurer must then provide the loss run statement within 15  
220 calendar days after the individual or entity designated by the  
221 insurer receives the insured's subsequent written request.

222 (4) A loss run statement provided pursuant to this section  
223 must contain a claims history with the insurer for the preceding  
224 3 5 years or, if the claims history is less than 3 5 years, a  
225 complete claims history with the insurer.

226        (7) This section does not apply to a life insurer as  
 227        defined in s. 624.602.

228        (8) For group health insurance, only the group  
 229        policyholder may request and be provided a loss run statement  
 230        pursuant to this section.

231            Section 7. Paragraph (b) of subsection (2) of section  
 232        627.062, Florida Statutes, is amended to read:

233            627.062 Rate standards.—

234            (2) As to all such classes of insurance:

235            (b) Upon receiving a rate filing, the office shall review  
 236        the filing to determine if a rate is excessive, inadequate, or  
 237        unfairly discriminatory. In making that determination, the  
 238        office shall, in accordance with generally accepted and  
 239        reasonable actuarial techniques, consider the following factors:

240            1. Past and prospective loss experience within and without  
 241        this state.

242            2. Past and prospective expenses.

243            3. The degree of competition among insurers for the risk  
 244        insured.

245            4. Investment income reasonably expected by the insurer,  
 246        consistent with the insurer's investment practices, from  
 247        investable premiums anticipated in the filing, plus any other  
 248        expected income from currently invested assets representing the  
 249        amount expected on unearned premium reserves and loss reserves.

250        The commission may adopt rules using reasonable techniques of

251 actuarial science and economics to specify the manner in which  
252 insurers calculate investment income attributable to classes of  
253 insurance written in this state and the manner in which  
254 investment income is used to calculate insurance rates. Such  
255 manner must contemplate allowances for an underwriting profit  
256 factor and full consideration of investment income that produces  
257 a reasonable rate of return; however, investment income from  
258 invested surplus may not be considered.

259 5. The reasonableness of the judgment reflected in the  
260 filing.

261 6. Dividends, savings, or unabsorbed premium deposits  
262 allowed or returned to policyholders, members, or subscribers in  
263 this state.

264 7. The adequacy of loss reserves.

265 8. The cost of reinsurance. The office may not disapprove  
266 a rate as excessive solely due to the insurer having obtained  
267 catastrophic reinsurance to cover the insurer's estimated 250-  
268 year probable maximum loss or any lower level of loss.

269 9. Trend factors, including trends in actual losses per  
270 insured unit for the insurer making the filing.

271 10. Conflagration and catastrophe hazards, if applicable.

272 11. Projected hurricane losses, if applicable, which must  
273 be estimated using a model or method found to be acceptable or  
274 reliable by the Florida Commission on Hurricane Loss Projection  
275 Methodology, and as further provided in s. 627.0628. A

276 residential property insurance rate filing may use a weighted or  
 277 straight average of two or more such models or methods.

278 12. Projected flood losses for personal residential  
 279 property insurance, if applicable, which may be estimated using  
 280 a model or method, or a straight average of model results or  
 281 output ranges, independently found to be acceptable or reliable  
 282 by the Florida Commission on Hurricane Loss Projection  
 283 Methodology and as further provided in s. 627.0628.

284 13. A reasonable margin for underwriting profit and  
 285 contingencies.

286 14. The cost of medical services, if applicable.

287 15. Other relevant factors that affect the frequency or  
 288 severity of claims or expenses.

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290 The provisions of this subsection do not apply to workers'  
 291 compensation, employer's liability insurance, and motor vehicle  
 292 insurance.

293 Section 8. Paragraph (b) of subsection (2) of section  
 294 627.0629, Florida Statutes, is amended, and subsection (9) is  
 295 added to that section, to read:

296 627.0629 Residential property insurance; rate filings.—

297 (2)

298 (b) A rate filing for residential property insurance made  
 299 more than 150 days after approval by the office of a building  
 300 code rating factor plan submitted by a statewide rating

301 organization may ~~shall~~ include positive and negative rate  
 302 factors that reflect the manner in which building code  
 303 enforcement in a particular jurisdiction addresses risk of wind  
 304 damage. The rate filing must ~~shall~~ include variations from  
 305 standard rate factors on an individual basis based on inspection  
 306 of a particular structure by a licensed home inspector. If an  
 307 inspection is requested by the insured, the insurer may require  
 308 the insured to pay the reasonable cost of the inspection. This  
 309 paragraph applies to structures constructed or renovated after  
 310 the implementation of this paragraph.

311 (9) An insurer may file with the office a personal lines  
 312 residential property insurance rating plan that provides  
 313 justified premium discounts, credits, or other rate  
 314 differentials based on windstorm mitigation construction  
 315 standards developed by an independent, not-for-profit,  
 316 scientific research organization, if such standards meet the  
 317 requirements of this section.

318 Section 9. Subsection (1) of section 627.072, Florida  
 319 Statutes, is amended to read:

320 627.072 Making and use of rates.—

321 (1) As to workers' compensation and employer's liability  
 322 insurance, the following factors shall be used in the  
 323 determination and fixing of rates:

324 (a) The past loss experience and prospective loss  
 325 experience within and outside this state;

326        (b) The impact resulting from the past loss experience and  
 327 prospective loss experience for insurers whose data are missing  
 328 from statewide experience due to insolvency. Prior reported data  
 329 for such insurers and all other relevant information may be used  
 330 to assess the impact on rates;

331        (c) ~~(b)~~ The conflagration and catastrophe hazards;

332        (d) ~~(e)~~ A reasonable margin for underwriting profit and  
 333 contingencies;

334        (e) ~~(d)~~ Dividends, savings, or unabsorbed premium deposits  
 335 allowed or returned by insurers to their policyholders, members,  
 336 or subscribers;

337        (f) ~~(e)~~ Investment income on unearned premium reserves and  
 338 loss reserves;

339        (g) ~~(f)~~ Past expenses and prospective expenses, both those  
 340 countrywide and those specifically applicable to this state; and

341        (h) ~~(g)~~ All other relevant factors, including judgment  
 342 factors, within and outside this state.

343        Section 10. Paragraph (a) of subsection (6) of section  
 344 627.351, Florida Statutes, is amended to read:

345        627.351 Insurance risk apportionment plans.—

346        (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

347        (a) The public purpose of this subsection is to ensure  
 348 that there is an orderly market for property insurance for  
 349 residents and businesses of this state.

350        1. The Legislature finds that private insurers are

351 unwilling or unable to provide affordable property insurance  
352 coverage in this state to the extent sought and needed. The  
353 absence of affordable property insurance threatens the public  
354 health, safety, and welfare and likewise threatens the economic  
355 health of the state. The state therefore has a compelling public  
356 interest and a public purpose to assist in assuring that  
357 property in the state is insured and that it is insured at  
358 affordable rates so as to facilitate the remediation,  
359 reconstruction, and replacement of damaged or destroyed property  
360 in order to reduce or avoid the negative effects otherwise  
361 resulting to the public health, safety, and welfare, to the  
362 economy of the state, and to the revenues of the state and local  
363 governments which are needed to provide for the public welfare.  
364 It is necessary, therefore, to provide affordable property  
365 insurance to applicants who are in good faith entitled to  
366 procure insurance through the voluntary market but are unable to  
367 do so. The Legislature intends, therefore, that affordable  
368 property insurance be provided and that it continue to be  
369 provided, as long as necessary, through Citizens Property  
370 Insurance Corporation, a government entity that is an integral  
371 part of the state, and that is not a private insurance company.  
372 To that end, the corporation shall strive to increase the  
373 availability of affordable property insurance in this state,  
374 while achieving efficiencies and economies, and while providing  
375 service to policyholders, applicants, and agents which is no

376 less than the quality generally provided in the voluntary  
377 market, for the achievement of the foregoing public purposes.  
378 Because it is essential for this government entity to have the  
379 maximum financial resources to pay claims following a  
380 catastrophic hurricane, it is the intent of the Legislature that  
381 the corporation continue to be an integral part of the state and  
382 that the income of the corporation be exempt from federal income  
383 taxation and that interest on the debt obligations issued by the  
384 corporation be exempt from federal income taxation.

385       2. The Residential Property and Casualty Joint  
386 Underwriting Association originally created by this statute  
387 shall be known as the Citizens Property Insurance Corporation.  
388 The corporation shall provide insurance for residential and  
389 commercial property, for applicants who are entitled, but, in  
390 good faith, are unable to procure insurance through the  
391 voluntary market. The corporation shall operate pursuant to a  
392 plan of operation approved by order of the Financial Services  
393 Commission. The plan is subject to continuous review by the  
394 commission. The commission may, by order, withdraw approval of  
395 all or part of a plan if the commission determines that  
396 conditions have changed since approval was granted and that the  
397 purposes of the plan require changes in the plan. For the  
398 purposes of this subsection, residential coverage includes both  
399 personal lines residential coverage, which consists of the type  
400 of coverage provided by homeowner, mobile home owner, dwelling,

401 tenant, condominium unit owner, and similar policies; and  
402 commercial lines residential coverage, which consists of the  
403 type of coverage provided by condominium association, apartment  
404 building, and similar policies.

405 3. With respect to coverage for personal lines residential  
406 structures:

407 a. Effective January 1, 2014, a structure that has a  
408 dwelling replacement cost of \$1 million or more, or a single  
409 condominium unit that has a combined dwelling and contents  
410 replacement cost of \$1 million or more, is not eligible for  
411 coverage by the corporation. Such dwellings insured by the  
412 corporation on December 31, 2013, may continue to be covered by  
413 the corporation until the end of the policy term. The office  
414 shall approve the method used by the corporation for valuing the  
415 dwelling replacement cost for the purposes of this subparagraph.  
416 If a policyholder is insured by the corporation before being  
417 determined to be ineligible pursuant to this subparagraph and  
418 such policyholder files a lawsuit challenging the determination,  
419 the policyholder may remain insured by the corporation until the  
420 conclusion of the litigation.

421 b. Effective January 1, 2015, a structure that has a  
422 dwelling replacement cost of \$900,000 or more, or a single  
423 condominium unit that has a combined dwelling and contents  
424 replacement cost of \$900,000 or more, is not eligible for  
425 coverage by the corporation. Such dwellings insured by the

426 corporation on December 31, 2014, may continue to be covered by  
427 the corporation only until the end of the policy term.

428 c. Effective January 1, 2016, a structure that has a  
429 dwelling replacement cost of \$800,000 or more, or a single  
430 condominium unit that has a combined dwelling and contents  
431 replacement cost of \$800,000 or more, is not eligible for  
432 coverage by the corporation. Such dwellings insured by the  
433 corporation on December 31, 2015, may continue to be covered by  
434 the corporation until the end of the policy term.

435 d. Effective January 1, 2017, a structure that has a  
436 dwelling replacement cost of \$700,000 or more, or a single  
437 condominium unit that has a combined dwelling and contents  
438 replacement cost of \$700,000 or more, is not eligible for  
439 coverage by the corporation. Such dwellings insured by the  
440 corporation on December 31, 2016, may continue to be covered by  
441 the corporation until the end of the policy term.

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443 The requirements of sub-subparagraphs b.-d. do not apply in  
444 counties where the office determines there is not a reasonable  
445 degree of competition. In such counties a personal lines  
446 residential structure that has a dwelling replacement cost of  
447 less than \$1 million, or a single condominium unit that has a  
448 combined dwelling and contents replacement cost of less than \$1  
449 million, is eligible for coverage by the corporation.

450 4. It is the intent of the Legislature that policyholders,

451 applicants, and agents of the corporation receive service and  
452 treatment of the highest possible level but never less than that  
453 generally provided in the voluntary market. It is also intended  
454 that the corporation be held to service standards no less than  
455 those applied to insurers in the voluntary market by the office  
456 with respect to responsiveness, timeliness, customer courtesy,  
457 and overall dealings with policyholders, applicants, or agents  
458 of the corporation.

459 5.a. Effective January 1, 2009, a personal lines  
460 residential structure that is located in the "wind-borne debris  
461 region," as defined in s. 1609.2, International Building Code  
462 (2006), and that has an insured value on the structure of  
463 \$750,000 or more is not eligible for coverage by the corporation  
464 unless the structure has opening protections as required under  
465 the Florida Building Code for a newly constructed residential  
466 structure in that area. A residential structure is deemed to  
467 comply with this sub-subparagraph if it has shutters or opening  
468 protections on all openings and if such opening protections  
469 complied with the Florida Building Code at the time they were  
470 installed.

471 b. Any major structure, as defined in s. 161.54(6)(a),  
472 that is newly constructed, or rebuilt, repaired, restored, or  
473 remodeled to increase the total square footage of finished area  
474 by more than 25 percent, pursuant to a permit applied for after  
475 July 1, 2015, is not eligible for coverage by the corporation if

476 | the structure is seaward of the coastal construction control  
 477 | line established pursuant to s. 161.053 or is within the Coastal  
 478 | Barrier Resources System as designated by 16 U.S.C. ss. 3501-  
 479 | 3510.

480 |         6. With respect to wind-only coverage for commercial lines  
 481 | residential condominiums, ~~effective July 1, 2014,~~ a condominium  
 482 | may shall be deemed ineligible for coverage when if 50 percent  
 483 | or more of the units are rented more than eight times in a  
 484 | calendar year for a rental agreement period of less than 30  
 485 | days.

486 |         Section 11. Subsection (6) is added to section 627.421,  
 487 | Florida Statutes, to read:

488 |             627.421 Delivery of policy.-

489 |             (6) If a policy is sold in a wholly electronic manner, the  
 490 | insurer may electronically transmit all policy documents and  
 491 | claims communications to the insured or policyholder if the  
 492 | insurer provides a disclosure to the insured or policyholder at  
 493 | the time of sale.

494 |         Section 12. Effective upon this act becoming a law,  
 495 | subsections (1), (2), and (4) of section 627.444, Florida  
 496 | Statutes, are amended, and subsections (7) and (8) are added to  
 497 | that section, to read:

498 |             627.444 Loss run statements for all lines of insurance.-

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

500 |             (a) "Loss run statement" means a report that contains the

501 policy number, the period of coverage, the number of claims, the  
502 paid losses on all claims, and the date of each loss. The term  
503 does not include supporting claim file documentation, including,  
504 but not limited to, copies of claim files, investigation  
505 reports, evaluation statements, insureds' statements, and  
506 documents protected by a common law or statutory privilege. As  
507 applied to group health insurance, the term means a report that  
508 also contains the premiums paid, the number of insureds on a  
509 monthly basis, and the dependent status.

510 (b) "Provide" means to electronically send a document or  
511 to allow access through an electronic portal to view or generate  
512 a document.

513 (2) Notwithstanding any other law, an insurer shall  
514 provide to an insured within 15 calendar days after an  
515 individual or entity designated by the insurer receives receipt  
516 ~~of~~ the insured's written request, either:

517 (a) A loss run statement; or

518 (b) For personal lines of insurance, information on how to  
519 obtain a loss run statement at no charge through a consumer  
520 reporting agency. However, this section does not prohibit an  
521 insured from requesting a loss run statement after receiving  
522 information from a consumer reporting agency, in which case the  
523 insurer must then provide the loss run statement within 15  
524 calendar days after the individual or entity designated by the  
525 insurer receives the insured's subsequent written request.

526 (4) A loss run statement provided pursuant to this section  
 527 must contain a claims history with the insurer for the preceding  
 528 3 5 years or, if the claims history is less than 3 5 years, a  
 529 complete claims history with the insurer.

530 (7) This section does not apply to a life insurer as  
 531 defined in s. 624.602.

532 (8) For group health insurance, only the group  
 533 policyholder may request and be provided a loss run statement  
 534 pursuant to this section.

535 Section 13. Section 627.6647, Florida Statutes, is  
 536 repealed.

537 Section 14. Effective upon this act becoming a law,  
 538 present subsections (4) through (10) of section 627.715, Florida  
 539 Statutes, are redesignated as subsections (5) through (11),  
 540 respectively, and a new subsection (4) is added to that section,  
 541 to read:

542 627.715 Flood insurance.—An authorized insurer may issue  
 543 an insurance policy, contract, or endorsement providing personal  
 544 lines residential coverage for the peril of flood or excess  
 545 coverage for the peril of flood on any structure or the contents  
 546 of personal property contained therein, subject to this section.  
 547 This section does not apply to commercial lines residential or  
 548 commercial lines nonresidential coverage for the peril of flood.  
 549 An insurer may issue flood insurance policies, contracts,  
 550 endorsements, or excess coverage on a standard, preferred,

551 customized, flexible, or supplemental basis.

552 (4) An agent may export a contract or an endorsement  
553 providing flood coverage to an eligible surplus lines insurer  
554 without making a diligent effort to seek such coverage from  
555 three or more authorized insurers under s. 626.916(1)(a).

556 Section 15. Effective upon this act becoming a law,  
557 paragraph (b) of subsection (1) and paragraph (a) of subsection  
558 (9) of section 627.7152, Florida Statutes, are amended to read:

559 627.7152 Assignment agreements.—

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

561 (b) "Assignment agreement" means any instrument by which  
562 post-loss benefits under a residential property insurance policy  
563 or commercial property insurance policy, as that term is defined  
564 in s. 627.0625(1), are assigned or transferred, or acquired in  
565 any manner, in whole or in part, to or from a person providing  
566 services, including, but not limited to, scopes of service, to  
567 inspect, protect, repair, restore, or replace property or to  
568 mitigate against further damage to the property. The term does  
569 not include fees collected by a public adjuster as defined in s.  
570 626.854(1).

571 (9) (a) An assignee must provide the named insured,  
572 insurer, and the assignor, if not the named insured, with a  
573 written notice of intent to initiate litigation before filing  
574 suit under the policy. Such notice must be served by certified  
575 mail, return receipt requested, to the name and mailing address

576 designated by the insurer in the policy forms, or by electronic  
 577 delivery at the e-mail address designated by the insurer in the  
 578 policy forms, at least 10 business days before filing suit, but  
 579 may not be served before the insurer has made a determination of  
 580 coverage under s. 627.70131. The notice must specify the damages  
 581 in dispute, the amount claimed, and a presuit settlement demand.  
 582 Concurrent with the notice, and as a precondition to filing  
 583 suit, the assignee must provide the named insured, insurer, and  
 584 the assignor, if not the named insured, a detailed written  
 585 invoice or estimate of services, including itemized information  
 586 on equipment, materials, and supplies; the number of labor  
 587 hours; and, in the case of work performed, proof that the work  
 588 has been performed in accordance with accepted industry  
 589 standards.

590 Section 16. Section 627.7276, Florida Statutes, is amended  
 591 to read:

592 627.7276 Notice of limited coverage.—

593 (1) An automobile policy that does not contain coverage  
 594 for bodily injury and property damage must include a notice ~~be~~  
 595 ~~clearly stamped or printed to the effect~~ that such coverage is  
 596 not included in the policy in the following manner:

597

598 "THIS POLICY DOES NOT PROVIDE BODILY INJURY AND  
 599 PROPERTY DAMAGE LIABILITY INSURANCE OR ANY OTHER  
 600 COVERAGE FOR WHICH A SPECIFIC PREMIUM CHARGE IS NOT

601 MADE, AND DOES NOT COMPLY WITH ANY FINANCIAL  
602 RESPONSIBILITY LAW."

603  
604 (2) This notice legend must accompany ~~appear on~~ the policy  
605 declaration page and ~~on the filing back of the policy and be~~  
606 ~~printed in a contrasting color from that used on the policy and~~  
607 ~~in type and larger than the largest type used in the text at~~  
608 least as large as the type and text used on the declaration page  
609 ~~thereof, as an overprint or by a rubber stamp impression.~~

610 Section 17. Section 634.171, Florida Statutes, is amended  
611 to read:

612 634.171 Salesperson to be licensed and appointed;  
613 exemptions.—Salespersons for motor vehicle service agreement  
614 companies and insurers shall be licensed, appointed, renewed,  
615 continued, reinstated, or terminated as prescribed in chapter  
616 626 for insurance representatives in general. However, they  
617 shall be exempt from all other provisions of chapter 626  
618 including fingerprinting, photo identification, education, and  
619 examination provisions. License, appointment, and other fees  
620 shall be those prescribed in s. 624.501. A licensed and  
621 appointed salesperson shall be directly responsible and  
622 accountable for all acts of her or his employees and other  
623 representatives. Each service agreement company or insurer  
624 shall, on forms prescribed by the department, within 30 days  
625 after termination of the appointment, notify the department of

626 such termination. ~~An~~ ~~No~~ employee or salesperson of a motor  
627 vehicle service agreement company or insurer may not directly or  
628 indirectly solicit or negotiate insurance contracts, or hold  
629 herself or himself out in any manner to be an insurance agent,  
630 unless so qualified, licensed, and appointed therefor under the  
631 Florida Insurance Code. A licensed personal lines or general  
632 lines agent is not required to be licensed as a salesperson  
633 under this section to solicit, negotiate, advertise, or sell  
634 motor vehicle service agreements. A motor vehicle service  
635 agreement company is not required to be licensed as a  
636 salesperson to solicit, sell, issue, or otherwise transact the  
637 motor vehicle service agreements issued by the motor vehicle  
638 service agreement company.

639 Section 18. Section 634.317, Florida Statutes, is amended  
640 to read:

641 634.317 License and appointment required; exemptions.—~~A~~ ~~No~~  
642 person may not solicit, negotiate, or effectuate home warranty  
643 contracts for remuneration in this state unless such person is  
644 licensed and appointed as a sales representative. A licensed and  
645 appointed sales representative shall be directly responsible and  
646 accountable for all acts of the licensee's employees. A licensed  
647 personal lines or general lines agent is not required to be  
648 licensed as a sales representative under this section to  
649 solicit, negotiate, advertise, or sell home warranty contracts.

650 Section 19. Section 634.419, Florida Statutes, is amended

651 to read:

652           634.419 License and appointment required; exemptions.—~~A No~~  
653 person or entity may not ~~shall~~ solicit, negotiate, advertise, or  
654 effectuate service warranty contracts in this state unless such  
655 person or entity is licensed and appointed as a sales  
656 representative. Sales representatives shall be responsible for  
657 the actions of persons under their supervision. However, a  
658 service warranty association licensed as such under this part is  
659 ~~shall~~ not ~~be~~ required to be licensed and appointed as a sales  
660 representative to solicit, negotiate, advertise, or effectuate  
661 its products. A licensed personal lines or general lines agent  
662 is not required to be licensed as a sales representative under  
663 this section to solicit, negotiate, advertise, or sell service  
664 warranties.

665           Section 20. Effective upon this act becoming a law, for  
666 the purpose of incorporating the amendment made by this act to  
667 section 627.7152, Florida Statutes, in references thereto,  
668 subsection (1) and paragraph (d) of subsection (2) of section  
669 627.7153, Florida Statutes, are reenacted to read:

670           627.7153 Policies restricting assignment of post-loss  
671 benefits under a property insurance policy.—

672           (1) As used in this section, the term "assignment  
673 agreement" has the same meaning as provided in s. 627.7152.

674           (2) An insurer may make available a policy that restricts  
675 in whole or in part an insured's right to execute an assignment

676 | agreement only if all of the following conditions are met:  
 677 |       (d) Each restricted policy include on its face the  
 678 | following notice in 18-point uppercase and boldfaced type:  
 679 |

680 |           THIS POLICY DOES NOT ALLOW THE UNRESTRICTED ASSIGNMENT  
 681 |           OF POST-LOSS INSURANCE BENEFITS. BY SELECTING THIS  
 682 |           POLICY, YOU WAIVE YOUR RIGHT TO FREELY ASSIGN OR  
 683 |           TRANSFER THE POST-LOSS PROPERTY INSURANCE BENEFITS  
 684 |           AVAILABLE UNDER THIS POLICY TO A THIRD PARTY OR TO  
 685 |           OTHERWISE FREELY ENTER INTO AN ASSIGNMENT AGREEMENT AS  
 686 |           THE TERM IS DEFINED IN SECTION 627.7152 OF THE FLORIDA  
 687 |           STATUTES.

688 |       Section 21. Except as otherwise expressly provided in this  
 689 | act, and except for this section, which shall take effect upon  
 690 | this act becoming a law, this act shall take effect July 1,  
 691 | 2021.