

1 A bill to be entitled
 2 An act relating to health care benefit coverage for
 3 members of nonprofit organizations and agricultural
 4 cooperative associations; renaming the title of ch.
 5 632, F.S.; creating parts I and II of ch. 632, F.S.,
 6 entitled "Fraternal Benefit Societies" and "Nonprofit
 7 Membership Organizations and Agricultural Cooperative
 8 Associations," respectively; creating s. 632.6401,
 9 F.S.; providing a short title; providing a purpose;
 10 providing definitions; authorizing nonprofit
 11 membership organizations and agricultural cooperative
 12 associations to offer health care benefit coverage to
 13 their members; providing that such coverage is not
 14 considered insurance; requiring such organizations and
 15 associations to file by a specified date each year a
 16 specified statement with the Commissioner of Insurance
 17 Regulation; providing rulemaking authority; providing
 18 an effective date.

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

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 22 Section 1. Chapter 632, Florida Statutes, entitled
 23 "Fraternal Benefit Societies," is renamed "Nonprofit Health
 24 Coverage."

25 Section 2. (1) Part I of chapter 632, Florida Statutes,

26 consisting of ss. 632.601-632.638, Florida Statutes, is created
27 and entitled "Fraternal Benefit Societies."

28 (2) Part II of chapter 632, Florida Statutes, consisting
29 of s. 632.6401, Florida Statutes, is created and entitled
30 "Nonprofit Membership Organizations and Agricultural Cooperative
31 Associations."

32 Section 3. Section 632.6401, Florida Statutes, is created
33 to read:

34 (1) This section may be cited as the "Florida Nonprofit
35 Health Coverage Deregulation Act of 2021."

36 (2) The purpose of this section is to allow nonprofit
37 membership organizations and agricultural cooperative
38 associations to offer health coverage options to their members.

39 (3) As used in this section, the term:

40 (a) "Agricultural cooperative association" means an
41 association established to promote, foster, and encourage the
42 marketing of agricultural products through cooperation of
43 agricultural producers.

44 (b) "Nonprofit membership organization" means a
45 professional or trade association or any entity with dues paying
46 members which is exempt from federal income tax under s.
47 501(c)(3) of the Internal Revenue Code and which exists to serve
48 its members beyond just offering health coverage.

49 (4) A nonprofit membership organization or an agricultural
50 cooperative association may offer health care benefit coverage

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51 to its members. Such health care benefit coverage is not
52 considered insurance, notwithstanding any provision of law to
53 the contrary. A nonprofit membership organization or an
54 agricultural cooperative association offering health care
55 benefit coverage to its members:

56 (a) May, by a reinsurance agreement, cede any individual
57 risk in whole or in part to an insurer having the power to make
58 such reinsurance and authorized to do business in the state.

59 (b) Shall, by February 28 of each year, file a signed,
60 certified statement of actuarial opinion with the Commissioner
61 of Insurance Regulation.

62 (5) The commission may adopt rules to administer this
63 section.

64 Section 4. This act shall take effect January 1, 2023.