

1                                   A bill to be entitled  
 2           An act relating to Juneteenth Day; amending s.  
 3           110.117, F.S.; designating Juneteenth Day as a paid  
 4           holiday for employees of all branches and agencies of  
 5           state government; amending s. 683.01, F.S.;  
 6           designating Juneteenth Day as a legal holiday;  
 7           repealing s. 683.21, F.S., relating to Juneteenth Day;  
 8           removing provisions designating Juneteenth Day as a  
 9           special observance, to conform to changes made by the  
 10          act; amending ss. 627.062, 627.0651, and 627.410,  
 11          F.S.; conforming cross-references; providing an  
 12          effective date.

13  
 14           WHEREAS, on January 1, 1863, President Abraham Lincoln  
 15          issued the Emancipation Proclamation, which afforded free status  
 16          under federal law to the millions of enslaved African Americans  
 17          who resided in states that had seceded from the Union, including  
 18          Florida, and

19           WHEREAS, despite the issuance of the Emancipation  
 20          Proclamation, it was not fully enforced in certain regions of  
 21          the United States for more than 2 years afterwards, and

22           WHEREAS, on or about June 19, 1865, federal authorities  
 23          arrived in Galveston, Texas, to enforce the Emancipation  
 24          Proclamation and further inform slaves that the Civil War had  
 25          ended and that the enslaved were now free, and

26 WHEREAS, thereafter, former slaves and their descendants  
 27 continued to commemorate each June 19 to celebrate freedom and  
 28 the emancipation of all slaves in the United States, and

29 WHEREAS, emancipation in Florida was proclaimed in  
 30 Tallahassee on May 20, 1865, and for this reason Floridians  
 31 traditionally celebrate Emancipation Day on May 20 of each year,  
 32 and

33 WHEREAS, in 1991, the Florida Legislature officially  
 34 designated June 19 of each year as "Juneteenth Day" to  
 35 commemorate the freeing of slaves but did not designate the day  
 36 as an official legal holiday, and

37 WHEREAS, on June 17, 2021, President Joe Biden signed  
 38 legislation officially making Juneteenth Day a federal holiday,  
 39 and

40 WHEREAS, this act designates Juneteenth Day as a legal  
 41 holiday in this state and as a paid holiday for employees of all  
 42 branches and agencies of state government to further commemorate  
 43 the announcement of the abolition of slavery and to recognize  
 44 the significant contributions of African Americans to this state  
 45 and our nation, NOW, THEREFORE,

46  
 47 Be It Enacted by the Legislature of the State of Florida:

48  
 49 Section 1. Subsection (1) of section 110.117, Florida  
 50 Statutes, is amended to read:

51 110.117 Paid holidays.—

52 (1) The following holidays shall be paid holidays observed  
53 by all state branches and agencies:

54 (a) New Year's Day.

55 (b) Birthday of Martin Luther King, Jr., third Monday in  
56 January.

57 (c) Memorial Day.

58 (d) Juneteenth Day, June 19.

59 (e) Independence Day.

60 (f)~~(e)~~ Labor Day.

61 (g)~~(f)~~ Veterans' Day, November 11.

62 (h)~~(g)~~ Thanksgiving Day.

63 (i)~~(h)~~ Friday after Thanksgiving.

64 (j)~~(i)~~ Christmas Day.

65

66 ~~(j)~~ If any of these holidays falls on Saturday, the preceding  
67 Friday shall be observed as a holiday. If any of these holidays  
68 falls on Sunday, the following Monday shall be observed as a  
69 holiday.

70 Section 2. Paragraphs (n) through (u) of subsection (1) of  
71 section 683.01, Florida Statutes, are redesignated as paragraphs  
72 (o) through (v), respectively, and a new paragraph (n) is added  
73 to that subsection, to read:

74 683.01 Legal holidays.—

75 (1) The legal holidays, which are also public holidays,

76 are the following:

77 (n) Juneteenth Day, June 19.

78 Section 3. Section 683.21, Florida Statutes, is repealed.

79 Section 4. Paragraph (a) of subsection (2) of section  
80 627.062, Florida Statutes, is amended to read:

81 627.062 Rate standards.—

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

83 (a) Insurers or rating organizations shall establish and  
84 use rates, rating schedules, or rating manuals that allow the  
85 insurer a reasonable rate of return on the classes of insurance  
86 written in this state. A copy of rates, rating schedules, rating  
87 manuals, premium credits or discount schedules, and surcharge  
88 schedules, and changes thereto, must be filed with the office  
89 under one of the following procedures:

90 1. If the filing is made at least 90 days before the  
91 proposed effective date and is not implemented during the  
92 office's review of the filing and any proceeding and judicial  
93 review, such filing is considered a "file and use" filing. In  
94 such case, the office shall finalize its review by issuance of a  
95 notice of intent to approve or a notice of intent to disapprove  
96 within 90 days after receipt of the filing. If the 90-day period  
97 ends on a weekend or a holiday under s. 110.117(1) ~~s.~~

98 ~~110.117(1)(a)-(i)~~, it must be extended until the conclusion of  
99 the next business day. The notice of intent to approve and the  
100 notice of intent to disapprove constitute agency action for

101 purposes of the Administrative Procedure Act. Requests for  
102 supporting information, requests for mathematical or mechanical  
103 corrections, or notification to the insurer by the office of its  
104 preliminary findings does not toll the 90-day period during any  
105 such proceedings and subsequent judicial review. The rate shall  
106 be deemed approved if the office does not issue a notice of  
107 intent to approve or a notice of intent to disapprove within 90  
108 days after receipt of the filing.

109       2. If the filing is not made in accordance with  
110 subparagraph 1., such filing must be made as soon as  
111 practicable, but within 30 days after the effective date, and is  
112 considered a "use and file" filing. An insurer making a "use and  
113 file" filing is potentially subject to an order by the office to  
114 return to policyholders those portions of rates found to be  
115 excessive, as provided in paragraph (h).

116       3. For all property insurance filings made or submitted  
117 after January 25, 2007, but before May 1, 2012, an insurer  
118 seeking a rate that is greater than the rate most recently  
119 approved by the office shall make a "file and use" filing. For  
120 purposes of this subparagraph, motor vehicle collision and  
121 comprehensive coverages are not considered property coverages.

122  
123 The provisions of this subsection do not apply to workers'  
124 compensation, employer's liability insurance, and motor vehicle  
125 insurance.

126 Section 5. Paragraph (a) of subsection (1) of section  
 127 627.0651, Florida Statutes, is amended to read:

128 627.0651 Making and use of rates for motor vehicle  
 129 insurance.—

130 (1) Insurers shall establish and use rates, rating  
 131 schedules, or rating manuals to allow the insurer a reasonable  
 132 rate of return on motor vehicle insurance written in this state.  
 133 A copy of rates, rating schedules, and rating manuals, and  
 134 changes therein, shall be filed with the office under one of the  
 135 following procedures:

136 (a) If the filing is made at least 60 days before the  
 137 proposed effective date and the filing is not implemented during  
 138 the office's review of the filing and any proceeding and  
 139 judicial review, such filing shall be considered a "file and  
 140 use" filing. In such case, the office shall initiate proceedings  
 141 to disapprove the rate and so notify the insurer or shall  
 142 finalize its review within 60 days after receipt of the filing.  
 143 If the 60-day period ends on a weekend or a holiday under s.  
 144 110.117(1) ~~s. 110.117(1)(a)-(i)~~, it must be extended until the  
 145 conclusion of the next business day. Notification to the insurer  
 146 by the office of its preliminary findings shall toll the 60-day  
 147 period during any such proceedings and subsequent judicial  
 148 review. The rate shall be deemed approved if the office does not  
 149 issue notice to the insurer of its preliminary findings within  
 150 60 days after the filing.

HB 367

2022

151 Section 6. Subsection (2) of section 627.410, Florida  
152 Statutes, is amended to read:

153 627.410 Filing, approval of forms.—

154 (2) Every such filing must be made at least 30 days in  
155 advance of any such use or delivery. At the expiration of the 30  
156 days, the form filed will be deemed approved unless prior  
157 thereto it has been affirmatively approved or disapproved by  
158 order of the office. The approval of such form by the office  
159 constitutes a waiver of any unexpired portion of such waiting  
160 period. The office may extend the period within which it may  
161 affirmatively approve or disapprove such form by up to 15 days  
162 by giving notice of such extension before expiration of the  
163 initial 30-day period. If the initial 30-day period or the 15-  
164 day extension period ends on a weekend or a holiday under s.  
165 110.117(1) ~~s. 110.117(1)(a)-(i)~~, the review period must be  
166 extended until the conclusion of the next business day. At the  
167 expiration of such extended period, and in the absence of prior  
168 affirmative approval or disapproval, such form shall be deemed  
169 approved.

170 Section 7. This act shall take effect July 1, 2022.