

1 A bill to be entitled
 2 An act relating to post-lost benefit assignments under
 3 motor vehicle insurance policies; amending s. 627.422,
 4 F.S.; prohibiting policyowners from entering into
 5 post-loss benefit assignment agreements under certain
 6 motor vehicle insurance policies issued on or after a
 7 specified date; providing that such assignment
 8 agreements are void, invalid, and unenforceable;
 9 providing definitions; providing an effective date.

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

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13 Section 1. Subsection (3) is added to section 627.422,
 14 Florida Statutes, to read:

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16 627.422 Assignment of policies or post-loss benefits.—A
 17 policy may be assignable, or not assignable, as provided by its
 18 terms. Any such assignment shall entitle the insurer to deal
 19 with the assignee as the owner or pledgee of the policy in
 20 accordance with the terms of the assignment, until the insurer
 21 has received at its home office written notice of termination of
 22 the assignment or pledge or written notice by or on behalf of
 23 some other person claiming some interest in the policy in
 24 conflict with the assignment.

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25 (3) POST-LOSS BENEFITS UNDER CERTAIN MOTOR VEHICLE
INSURANCE POLICIES PROHIBITED.—A policyowner may not enter into

26 an assignment agreement under a motor vehicle insurance policy
 27 issued on or after July 1, 2023. Any attempt by a policyowner to
 28 enter into such assignment agreement is void and unenforceable.

29 As used in this subsection, the term:

30 (a) "Assignment agreement" means any instrument,
 31 regardless of how named or styled, by which post-loss benefits,
 32 including claim payments, under a motor vehicle insurance policy
 33 are, in whole or in part, assigned or transferred to, or
 34 acquired in any manner by, a person providing services,
 35 including, but not limited to, inspecting, protecting,
 36 repairing, restoring, or replacing the motor vehicle or
 37 mitigating against further damage to the motor vehicle.

38 (b) "Motor vehicle insurance policy" means a policy that
 39 provides personal injury protection coverage, property damage
 40 liability coverage, or both.

41 Section 2. This act shall take effect July 1, 2023.