

1 A bill to be entitled
2 An act relating to residential property insurance
3 policy cancellations, nonrenewals, and rate changes;
4 amending s. 627.4133, F.S.; prohibiting insurers from
5 canceling or nonrenewing, within certain timeframes,
6 policies covering personal residential or commercial
7 residential properties damaged by hurricanes or wind
8 losses; providing that such prohibition applies to
9 flood damages caused by hurricanes under certain
10 circumstances; providing that an insurer may not
11 cancel personal residential or commercial residential
12 property insurance policies until certain repairs are
13 made or a specified policy renewal expires;
14 prohibiting certain claims for loss or damage from
15 being covered under an extended or renewed policy;
16 specifying that such loss or damage is excluded from
17 the extended or renewed policy; providing
18 applicability; revising exceptions; authorizing the
19 Commissioner of Insurance Regulation to waive certain
20 provisions; providing construction; deleting
21 applicability; revising construction; requiring that
22 certain policies contain similar terms under certain
23 circumstances; amending s. 627.7011, F.S.; requiring
24 homeowner's policy insurers to give specified
25 notifications to policyholders; requiring that such

26 notice be mailed and, under certain circumstances, e-
 27 mailed; specifying exceptions to notification
 28 requirements; providing applicability; providing an
 29 effective date.

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

Section 1. Paragraph (e) of subsection (2) of section 627.4133, Florida Statutes, is amended to read:

627.4133 Notice of cancellation, nonrenewal, or renewal premium.—

(2) With respect to any personal lines or commercial residential property insurance policy, including, but not limited to, any homeowner, mobile home owner, farmowner, condominium association, condominium unit owner, apartment building, or other policy covering a residential structure or its contents:

(e)1. An ~~authorized~~ insurer may not cancel or nonrenew a personal residential or commercial residential property insurance policy covering a dwelling or residential property located in this state:

a. For a period of 90 days after the dwelling or residential property has been repaired, if such property has been damaged as a result of a hurricane or wind loss that is the subject of the declaration of emergency pursuant to s. 252.36

51 and the filing of an order by the Commissioner of Insurance
52 Regulation. Damage under this sub-subparagraph includes flood
53 damage caused by a hurricane if flood is a covered peril under
54 the personal residential or commercial residential property
55 insurance policy. If flood is not a covered peril under the
56 personal residential or commercial residential property
57 insurance policy, and the property has been damaged as a result
58 of flood caused by a hurricane, an insurer may not cancel or
59 nonrenew the personal residential or commercial residential
60 property insurance policy until the earlier of when the property
61 has been repaired or the expiration of one subsequent renewal of
62 the policy that was in force at the time of loss or damage. If
63 an insurer is required to extend or renew a policy pursuant to
64 this sub-subparagraph, any claim for loss or damage arising from
65 unrepaired flood damage caused by a hurricane may not be covered
66 under the extended or renewed policy. Such loss or damage is
67 excluded from the extended or renewed policy regardless of any
68 other cause or event that contributes concurrently or in any
69 sequence to the loss or damage. When flood is not a covered
70 peril under the personal residential or commercial residential
71 property insurance policy, the requirements under this sub-
72 subparagraph to extend or renew the policy do not apply if the
73 insurer has no actual knowledge of the flood damage or if the
74 flood damage, along with the physical evidence of such damage,
75 is not communicated to the insurer before the expiration of the

76 policy.

77 b. Until the earlier of when the dwelling or residential
78 property has been repaired or 1 year after the insurer issues
79 the final claim payment, if such property was damaged by any
80 covered peril and sub-subparagraph a. does not apply.

81 2. The restrictions on cancellation and nonrenewal in sub-
82 subparagraph 1.b. are not applicable to loss or damage to the
83 insured property that is valued at less than the applicable
84 deductible for a personal residential property insurance policy
85 or less than the applicable deductible for a commercial
86 residential insurance policy.

87 3. However, an insurer or agent may cancel or nonrenew
88 such a policy before ~~prior to~~ the repair of the dwelling or
89 residential property:

90 a. Upon 10 days' notice:

91 (I) For nonpayment of premium; or

92 (II) If the named insured no longer has an insurable
93 interest in the property; or

94 b. Upon 45 days' notice:

95 (I) For a material misstatement or fraud related to the
96 claim;

97 (II) If the insurer determines that the insured has
98 unreasonably caused a delay in the repair of the dwelling; ~~or~~

99 (III) If, after the expiration of the declaration of
100 emergency pursuant to s. 252.36 and the order by the

101 Commissioner of Insurance Regulation, the insurer has made a
102 reasonable written inquiry to the insured as to the status of
103 the repairs and the insured has failed to respond within 30
104 calendar days to provide information that is responsive to the
105 inquiry, including the reasons for any delay in completing
106 repairs, to the address or e-mail account designated by the
107 insurer or its agent; or

108 (IV) If the insurer has paid policy limits for a loss or
109 damage to the insured dwelling under a personal residential
110 policy, or policy limits for a loss or damage to each insured
111 structure that was damaged under a commercial residential
112 policy.

113 4.3. If the insurer elects to nonrenew a policy covering a
114 property that has been damaged, the insurer must ~~shall~~ provide
115 at least 90 days' notice to the insured that the insurer intends
116 to nonrenew the policy 90 days after the dwelling or residential
117 property has been repaired. ~~Nothing in~~ This paragraph does not
118 ~~shall~~ prevent the insurer from canceling or nonrenewing the
119 policy 90 days after the repairs are complete for the same
120 reasons the insurer would otherwise have canceled or nonrenewed
121 the policy but for the limitations of subparagraph 1. The
122 Financial Services Commission may adopt rules, and the
123 Commissioner of Insurance Regulation may issue orders, necessary
124 to implement this paragraph. The Commissioner of Insurance
125 Regulation may also waive any provision of this paragraph upon

126 approval of a petition filed by an insurer requesting relief due
127 to solvency concerns or other factors that could harm
128 policyholders if the provisions of this paragraph were enforced
129 upon the insurer.

130 ~~5.4.~~ This paragraph is not intended to revise or modify
131 any provision of an emergency order issued by the office before
132 July 1, 2025 shall also apply to personal residential and
133 commercial residential policies covering property that was
134 damaged as the result of Hurricane Ian or Hurricane Nicole.

135 ~~6.5.~~ For purposes of this paragraph:

136 a. A structure is deemed to be repaired:

137 (I) When substantially completed and restored to the
138 extent that it is insurable by Citizens Property Insurance
139 Corporation or by another authorized insurer writing policies in
140 this state; or

141 (II) When one of the following persons has inspected and
142 certified or attested to the completion of the repairs:

143 (A) A home inspector licensed under s. 468.8314;

144 (B) A building code inspector certified under s. 468.607;

145 (C) A general, building, or residential contractor
146 licensed under s. 489.111;

147 (D) A professional engineer licensed under s. 471.015; or

148 (E) A professional architect licensed under s. 481.213.

149 b. The term "insurer" means an authorized insurer.

150 c. If a policy is extended or renewed to comply with this

151 paragraph or with any other provision of the Commissioner of
152 Insurance Regulation's order, the policy must contain policy
153 terms similar to the policy being extended or renewed unless the
154 insurer has updated approved forms that will apply to all
155 insureds with the same endorsement. However, this sub-
156 subparagraph does not impact current law with regard to the
157 rates insurers may charge for policies extended or renewed under
158 this paragraph.

159 7. This paragraph does not affect s. 95.11 or s.
160 627.70132.

161 **Section 2. Subsection (7) is added to section 627.7011,**
162 **Florida Statutes, to read:**

163 627.7011 Homeowners' policies; offer of replacement cost
164 coverage and law and ordinance coverage.—

165 (7) Any insurer delivering or issuing a homeowner's
166 insurance policy shall give the policyholder at least 45 days'
167 advance written notice of cancellation, nonrenewal, or rate
168 change. Such notice must be mailed to the policyholder's last
169 address as shown by the records of the insurer and, if an e-mail
170 address has been provided, e-mailed to the last e-mail address
171 on record. However, if cancellation is for nonpayment of
172 premium, at least 10 days' written notice must be given,
173 accompanied by the reason. Written notice of cancellation for
174 nonpayment of premium is not required for homeowner's insurance
175 policies under which premiums are payable monthly.

HB 841

2025

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Section 3. This act shall take effect July 1, 2025.