

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 767 (2026)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u> (Y/N)
ADOPTED AS AMENDED	<u> </u> (Y/N)
ADOPTED W/O OBJECTION	<u> </u> (Y/N)
FAILED TO ADOPT	<u> </u> (Y/N)
WITHDRAWN	<u> </u> (Y/N)
OTHER	<u> </u>

1 Committee/Subcommittee hearing bill: Commerce Committee
2 Representative Benarroch offered the following:

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 **Section 1. Subsection (2), is amended, and subsection (3)**
7 **is added to section 627.0621, Florida Statutes, to read:**

8 (2) WEBSITE FOR PUBLIC ACCESS TO RATE FILING INFORMATION.—

9 (a) The office shall establish and maintain a

10 comprehensive resource center on its website which uses concise
11 and plain language to aid consumers in their understanding of
12 insurance. The website must include substantive information on
13 the current and historical dynamics of the market, data
14 concerning the financial condition and market conduct of
15 insurance companies, and insurance options available to
16 consumers. At a minimum, the website must contain the following:

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17 1. Reports, using graphic information whenever possible,
18 which outline information about the state of the market and
19 adverse and positive trends affecting it.

20 2. Tools that aid consumers in finding insurers,
21 including, but not limited to, a listing of all companies
22 actively doing business in this state which includes each
23 company's address, website, and all telephone numbers and e-mail
24 addresses to be used by insureds and applicants for coverage.

25 3. Tools that aid consumers in selecting the coverages
26 beneficial to them, including, but not limited to:

27 a. Educational materials that explain the types of
28 coverage in residential property insurance policies; the
29 difference between replacement cost reimbursement and actual
30 cash value reimbursement; a glossary of common terms used in
31 policies; and a comparison of the coverage, terms, conditions,
32 and exclusions contained in different homeowners' and dwelling
33 fire forms.

34 b. Answers to commonly asked questions about residential
35 property insurance coverage.

36 4. Information about mitigation credits and the My Safe
37 Florida Home Program, as well as other credits and discounts
38 insurers may offer beyond wind mitigation.

39 5. Access to annual statements, market conduct
40 information, all major adverse findings by the office for the

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41 previous 3 calendar years, and other information related to each
42 insurer.

43 6. Information on the Citizens Property Insurance
44 Corporation take-out process, the clearinghouse, and general
45 information as reported by the office.

46 7. Information on the claims process, including, but not
47 limited to:

48 a. Clear, step-by-step guidance on how to file a claim,
49 what to expect during the claim process, and timelines for
50 resolution of a claim.

51 b. The obligations of insurers and insureds related to
52 claim reporting, claim handling, communications regarding
53 claims, claim investigations, claim decisions, and claim
54 payments.

55 c. For each insurer with active policies in this state,
56 the means by which to report a claim, including any telephone
57 numbers, e-mail addresses, or website addresses used for claim
58 reporting.

59 8. Information on consumer protection, including, but not
60 limited to:

61 a. The rights of insureds under Florida law related to
62 coverage; coverage renewals, nonrenewals, and cancellations; and
63 mandated offers of coverage.

64 b. Contact information, including a telephone number,
65 hours of service, and an e-mail address, for the Division of

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66 Consumer Services of the department, and information on how to
67 file consumer complaints with the Division.

68 9. Information on news and updates relevant to consumers
69 regarding this state's residential property insurance market,
70 including regulatory changes, information on insurers that enter
71 or exit the market, and industry trends.

72 10. Information on disaster preparedness directly related
73 to insurance, prepared by the office or by the Division of
74 Emergency Management.

75 11. With respect to any residential property rate filing,
76 ~~the office shall provide the following information on a publicly~~
77 ~~accessible Internet website:~~

78 a.1. The overall rate change requested by the insurer.

79 b.2. The rate change approved by the office along with all
80 of the actuary's assumptions and recommendations forming the
81 basis of the office's decision.

82 c.3. Certification by the office's actuary that, based on
83 the actuary's knowledge, his or her recommendations are
84 consistent with accepted actuarial principles.

85 d. Whether the insurer uses affiliated entities to perform
86 administrative, claims handling, or other functions of the
87 insurer and, if so, the total percentage of direct written
88 premium paid to the affiliated entities by the insurer in the
89 preceding calendar year.

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90 (b) For any rate filing, regardless of whether ~~or not~~ the
91 filing is subject to a public hearing, the office shall provide
92 on its website a means for any policyholder who may be affected
93 by a proposed rate change to send an e-mail regarding the
94 proposed rate change. Such e-mail must be accessible to the
95 actuary assigned to review the rate filing.

96 (c) The statewide average requested rate change and final
97 approved statewide average rate change within a filing is not a
98 trade secret as defined in s. 688.002 or s. 812.081(1) and is
99 not subject to the public records exemption for trade secrets
100 provided in s. 119.0715 or s. 624.4213.

101 (d) County rating examples submitted to the office through
102 the rate collection system for the purpose of displaying rates
103 on the office website are not a trade secret as defined in s.
104 688.002 or s. 812.081(1) and are not subject to the public
105 records exemption for trade secrets provided in s. 119.0715 or
106 s. 624.4213.

107 (3) Along with every offer of residential property
108 insurance coverage and at renewal of such coverage, the insurer
109 must provide notice of the website required under subsection
110 (2), which must include the internet address for the website and
111 a quick-response code for the website.

112 **Section 2. Present subsections (5) and (6) of section**
113 **627.7011, Florida Statutes, are redesignated as subsections (6)**

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114 **and (7), respectively, and a new subsection (5) is added to that**
115 **section, to read:**

116 627.7011 Homeowners' policies; offer of replacement cost
117 coverage and law and ordinance coverage.—

118 (5) When establishing the coverage amount or adjusting a
119 claim for a dwelling or other structure under a homeowner's
120 insurance policy, an insurer may not include the value of the
121 land on which such dwelling or structure is located. This
122 subsection may not be construed to permit inclusion of the value
123 of land for dwellings or structures located on the shoreline,
124 surrounded in whole or in part by a body of water, or on land
125 formed or altered by erosion or accretion.

126 **Section 3. Subsection (1) of section 627.711, Florida**
127 **Statutes, is amended to read:**

128 627.711 Notice of premium discounts for hurricane loss
129 mitigation; uniform mitigation verification inspection form.—

130 (1) Using a form prescribed by the Office of Insurance
131 Regulation, the insurer shall clearly notify the applicant or
132 policyholder of any personal lines residential property
133 insurance policy, at the time of the issuance of the policy and
134 at each renewal, of the availability and the range of each
135 premium discount, credit, other rate differential, or reduction
136 in deductibles, and combinations of discounts, credits, rate
137 differentials, or reductions in deductibles, for properties on
138 which fixtures or construction techniques demonstrated to reduce

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139 the amount of loss in a windstorm can be or have been installed
140 or implemented. The prescribed form shall describe generally
141 what actions the policyholders may be able to take to reduce
142 their windstorm premium. The prescribed form and a list of such
143 ranges approved by the office for each insurer licensed in the
144 state and providing such discounts, credits, other rate
145 differentials, or reductions in deductibles for properties
146 described in this subsection shall be available for electronic
147 viewing and download from the Department of Financial Services'
148 or the Office of Insurance Regulation's Internet website. The
149 prescribed form must also notify the applicant if the insurer
150 offers an enhanced discount for a roof system that uses a
151 secondary water resistance, and the form must generally list the
152 amount of discount by type of secondary water resistance. The
153 Financial Services Commission may adopt rules to implement this
154 subsection.

155 **Section 4. Section 627.7142, Florida Statutes, is amended
156 to read:**

157 627.7142 Homeowner Claims Bill of Rights.—An insurer
158 issuing a personal lines residential property insurance policy
159 in this state must provide a Homeowner Claims Bill of Rights to
160 a policyholder within 14 days after receiving an initial
161 communication with respect to a claim. The purpose of the bill
162 of rights is to summarize, in simple, nontechnical terms,
163 existing Florida law regarding the rights of a personal lines

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164 residential property insurance policyholder who files a claim of
165 loss. The Homeowner Claims Bill of Rights is specific to the
166 claims process and does not represent all of a policyholder's
167 rights under Florida law regarding the insurance policy. The
168 Homeowner Claims Bill of Rights does not create a civil cause of
169 action by any individual policyholder or class of policyholders
170 against an insurer or insurers. The failure of an insurer to
171 properly deliver the Homeowner Claims Bill of Rights is subject
172 to administrative enforcement by the office but is not
173 admissible as evidence in a civil action against an insurer. The
174 Homeowner Claims Bill of Rights does not enlarge, modify, or
175 contravene statutory requirements, including, but not limited
176 to, ss. 626.854, 626.9541, 627.70131, 627.7015, and 627.7074,
177 and does not prohibit an insurer from exercising its right to
178 repair damaged property in compliance with the terms of an
179 applicable policy or ss. 627.7011(7)(e) and 627.702(7) ss.
180 ~~627.7011(6)(e) and 627.702(7)~~. The Homeowner Claims Bill of
181 Rights must state:

182
183 HOMEOWNER CLAIMS

184 BILL OF RIGHTS

185 This Bill of Rights is specific to the claims process
186 and does not represent all of your rights under
187 Florida law regarding your policy. There are also
188 exceptions to the stated timelines when conditions are

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189 beyond your insurance company's control. This document
190 does not create a civil cause of action by an
191 individual policyholder, or a class of policyholders,
192 against an insurer or insurers and does not prohibit
193 an insurer from exercising its right to repair damaged
194 property in compliance with the terms of an applicable
195 policy.

196

197 YOU HAVE THE RIGHT TO:

- 198 1. Receive from your insurance company an
199 acknowledgment of your reported claim within 7 days
200 after the time you communicated the claim.
- 201 2. Upon written request, receive from your insurance
202 company within 30 days after you have submitted a
203 complete proof-of-loss statement to your insurance
204 company, confirmation that your claim is covered in
205 full, partially covered, or denied, or receive a
206 written statement that your claim is being
207 investigated.
- 208 3. Receive from your insurance company a copy of any
209 detailed estimate of the amount of the loss within 7
210 days after the estimate is generated by the insurance
211 company's adjuster.
- 212 4. Within 60 days, subject to any dual interest noted
213 in the policy, receive full settlement payment for

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214 your claim or payment of the undisputed portion of
215 your claim, or your insurance company's denial of your
216 claim.

217 5. Receive payment of interest, as provided in s.
218 627.70131, Florida Statutes, from your insurance
219 company, which begins accruing from the date your
220 claim is filed if your insurance company does not pay
221 full settlement of your initial, reopened, or
222 supplemental claim or the undisputed portion of your
223 claim or does not deny your claim within 60 days after
224 your claim is filed. The interest, if applicable, must
225 be paid when your claim or the undisputed portion of
226 your claim is paid.

227 6. Free mediation of your disputed claim by the
228 Florida Department of Financial Services, Division of
229 Consumer Services, under most circumstances and
230 subject to certain restrictions.

231 7. Neutral evaluation of your disputed claim, if your
232 claim is for damage caused by a sinkhole and is
233 covered by your policy.

234 8. Contact the Florida Department of Financial
235 Services, Division of Consumer Services' toll-free
236 helpline for assistance with any insurance claim or
237 questions pertaining to the handling of your claim.
238 You can reach the Helpline by phone at ... (toll-free

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239 phone number) ..., or you can seek assistance online at
240 the Florida Department of Financial Services, Division
241 of Consumer Services' website at ... (website
242 address)

243

244 YOU ARE ADVISED TO:

- 245 1. File all claims directly with your insurance
246 company.
- 247 2. Contact your insurance company before entering
248 into any contract for repairs to confirm any managed
249 repair policy provisions or optional preferred
250 vendors.
- 251 3. Make and document emergency repairs that are
252 necessary to prevent further damage. Keep the damaged
253 property, if feasible, keep all receipts, and take
254 photographs or video of damage before and after any
255 repairs to provide to your insurer.
- 256 4. Carefully read any contract that requires you to
257 pay out-of-pocket expenses or a fee that is based on a
258 percentage of the insurance proceeds that you will
259 receive for repairing or replacing your property.
- 260 5. Confirm that the contractor you choose is licensed
261 to do business in Florida. You can verify a
262 contractor's license and check to see if there are any
263 complaints against him or her by calling the Florida

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Department of Business and Professional Regulation.

You should also ask the contractor for references from previous work.

6. Require all contractors to provide proof of insurance before beginning repairs.

7. Take precautions if the damage requires you to leave your home, including securing your property; and turning off your gas, water, and electricity; and contacting your insurance company; and providing ~~provide~~ a phone number where you can be reached.

Section 5. This act shall take effect July 1, 2026.

T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

An act relating to residential property insurance; amending s. 627.0621, F.S.; requiring the office to establish and maintain a comprehensive resource center on its website; providing requirements for the resource center; requiring insurers to provide notice of the comprehensive resource center on the office's website with any offer of coverage and policy renewal; specifying that certain information is not a trade secret and is not subject to certain public records exemptions; amending s. 627.7011, F.S.; prohibiting an

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289 insurer from including the value of certain land when
290 establishing a homeowner's policy coverage amount or
291 adjusting certain claims; providing construction;
292 amending s. 627.711, F.S.; providing that the notice
293 of premium discounts for hurricane loss mitigation
294 must include information about whether the insurer
295 offers enhanced discounts for roof systems that use a
296 secondary water resistance; amending s. 627.7142,
297 F.S.; conforming a cross-reference; providing an
298 effective date.