

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Hager offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 767 and 768, insert:

5 Section 14. Subsection (3) of section 626.916, Florida
6 Statutes, is amended to read:

7 626.916 Eligibility for export.—

8 (3) (a) Subsection (1) does not apply to wet marine and
9 transportation or aviation risks which are subject to s.

10 626.917.

11 (b) Paragraphs (1) (a)-(d) do not apply to classes of
12 insurance which are subject to s. 627.062(3) (d)1. These classes
13 may be exportable under the following conditions:

14 1. The insurance must be placed only by or through a
15 surplus lines agent licensed in this state;

16 2. The insurer must be made eligible under s. 626.918; and
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17 3. The insured must sign a disclosure that substantially
18 provides the following: "You are agreeing to place coverage in
19 the surplus lines market. Superior coverage may be available in
20 the admitted market and at a lesser cost. Persons insured by
21 surplus lines carriers are not protected under the Florida
22 Insurance Guaranty Act with respect to any right of recovery for
23 the obligation of an insolvent unlicensed insurer." If the
24 notice is signed by the insured, the insured is presumed to have
25 been informed and to know that other coverage may be available,
26 and, with respect to the diligent-effort requirement under
27 subsection (1), there is no liability on the part of, and no
28 cause of action arises against, the retail agent presenting the
29 form.

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

34 Remove line 80 and insert:
35 under certain circumstances; amending s. 626.916, F.S.; revising
36 provisions relating to insurance coverage eligibility for export
37 under the Surplus Lines Law; providing applicability;