



440284

LEGISLATIVE ACTION

Senate

House

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Floor: WD/2R

05/02/2011 01:41 PM

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Senator Bogdanoff moved the following:

**Senate Amendment (with title amendment)**

Between lines 566 and 567

insert:

Section 8. Subsection (3) of section 626.916, Florida Statutes, is amended to read:

626.916 Eligibility for export.—

(3) (a) Subsection (1) does not apply to wet marine and transportation or aviation risks which are subject to s. 626.917.

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



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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  
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.

30  
31 ===== T I T L E   A M E N D M E N T =====

32 And the title is amended as follows:

33           Delete line 26

34 and insert:

35           certain crimes; amending s. 626.916, F.S.; providing  
36           an exemption for certain classes of insurance from  
37           requirements relating to insurance coverage for  
38           export; amending s. 627.4133, F.S.; changing