

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Berfield offered the following:

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3 **Amendment to Amendment (467323) (with directory and title**  
4 **amendments)**

5 Between lines 298 and 299, insert:

6 Section 26. Subsections (1) and (2) of section 627.0629,  
7 Florida Statutes, are amended to read:

8 627.0629 Residential property insurance; rate filings.--

9 (1) Effective June 1, 2002, a rate filing for residential  
10 property insurance must include actuarially reasonable  
11 discounts, credits, or other rate differentials, or appropriate  
12 reductions in deductibles, for properties on which fixtures or  
13 construction techniques demonstrated to reduce the amount of  
14 loss in a windstorm have been installed or implemented. The  
15 fixtures or construction techniques shall include, but not be  
16 limited to, fixtures or construction techniques which enhance

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17 | roof strength, roof covering performance, roof-to-wall strength,  
18 | wall-to-floor-to-foundation strength, opening protection, and  
19 | window, door, and skylight strength. Credits, discounts, or  
20 | other rate differentials for fixtures and construction  
21 | techniques which meet the minimum requirements of the Florida  
22 | Building Code must be included in the rate filing. All insurance  
23 | companies must make a rate filing which includes the credits,  
24 | discounts, or other rate differentials by February 28, 2003.  
25 | This subsection does not apply to an insurer if the insurer's  
26 | average annual premium for all of its policies issued providing  
27 | windstorm coverage is \$100 or less. The office may adjust the  
28 | amount of annual premium qualifying for this exemption for  
29 | inflation at appropriate intervals.

30 | (2)(a) A rate filing for residential property insurance  
31 | made on or before the implementation of paragraph (b) may  
32 | include rate factors that reflect the manner in which building  
33 | code enforcement in a particular jurisdiction addresses the risk  
34 | of wind damage; however, such a rate filing must also provide  
35 | for variations from such rate factors on an individual basis  
36 | based on an inspection of a particular structure by a licensed  
37 | home inspector, which inspection may be at the cost of the  
38 | insured.

39 | (b) A rate filing for residential property insurance made  
40 | more than 150 days after approval by the office of a building  
41 | code rating factor plan submitted by a statewide rating  
42 | organization shall include positive and negative rate factors  
43 | that reflect the manner in which building code enforcement in a  
44 | particular jurisdiction addresses risk of wind damage. The rate

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45 filing shall include variations from standard rate factors on an  
46 individual basis based on inspection of a particular structure  
47 by a licensed home inspector. If an inspection is requested by  
48 the insured, the insurer may require the insured to pay the  
49 reasonable cost of the inspection. This paragraph applies to  
50 structures constructed or renovated after the implementation of  
51 this paragraph.

52 (c) The premium notice shall specify the amount by which  
53 the rate has been adjusted as a result of this subsection and  
54 shall also specify the maximum possible positive and negative  
55 adjustments that are approved for use by the insurer under this  
56 subsection.

57 (d) This subsection does not apply to an insurer if the  
58 insurer's average annual premium for all of its policies issued  
59 providing windstorm coverage is \$100 or less. The office may  
60 adjust the amount of annual premium qualifying for this  
61 exemption for inflation at appropriate intervals.

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

64 Remove line(s) 748, and insert:  
65 Personal lines agents; amending s. 627.0629, F.S.; specifying  
66 nonapplication to certain insurers under certain circumstances;  
67 authorizing the office to adjust certain premium under certain  
68 circumstances; amending s. 627.0915, F.S.; providing for