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LEGISLATIVE ACTION

Senate

House

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Floor: 4/F/RM

05/05/2011 06:42 PM

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Senator Margolis moved the following:

1           **Senate Amendment to House Amendment (844961) (with title**  
2 **amendment)**

3  
4           Delete lines 1146 - 1206

5 and insert:

6           (1) (a) It is the intent of the Legislature that insurers  
7 ~~must~~ provide savings to consumers who install or implement  
8 windstorm damage mitigation techniques, alterations, or  
9 solutions to their properties to prevent windstorm losses. A  
10 rate filing for residential property insurance must include  
11 actuarially reasonable discounts, credits, or other rate  
12 differentials, or appropriate reductions in deductibles, for  
13 properties on which fixtures or construction techniques



499748

14 demonstrated to reduce the amount of loss in a windstorm have  
15 been installed or implemented. The fixtures or construction  
16 techniques must ~~shall~~ include, but are not ~~be~~ limited to,  
17 fixtures or construction techniques that ~~which~~ enhance roof  
18 strength, roof covering performance, roof-to-wall strength,  
19 wall-to-floor-to-foundation strength, opening protection, and  
20 window, door, and skylight strength. Credits, discounts, or  
21 other rate differentials, or appropriate reductions in  
22 deductibles, for fixtures and construction techniques that ~~which~~  
23 meet the minimum requirements of the Florida Building Code must  
24 be included in the rate filing. ~~All insurance companies must~~  
25 ~~make a rate filing which includes the credits, discounts, or~~  
26 ~~other rate differentials or reductions in deductibles by~~  
27 ~~February 28, 2003. By July 1, 2007, the office shall reevaluate~~  
28 ~~the discounts, credits, other rate differentials, and~~  
29 ~~appropriate reductions in deductibles for fixtures and~~  
30 ~~construction techniques that meet the minimum requirements of~~  
31 ~~the Florida Building Code, based upon actual experience or any~~  
32 ~~other loss relativity studies available to the office. The~~  
33 office shall determine the discounts, credits, other rate  
34 differentials, and appropriate reductions in deductibles that  
35 reflect the full actuarial value of such revaluation, which may  
36 be used by insurers in rate filings.

37 (b) By February 1, 2011, the Office of Insurance  
38 Regulation, in consultation with the Department of Financial  
39 Services and the Department of Community Affairs, shall develop  
40 and make publicly available a proposed method for insurers to  
41 establish discounts, credits, or other rate differentials for  
42 hurricane mitigation measures which directly correlate to the



499748

43 numerical rating assigned to a structure pursuant to the uniform  
44 home grading scale adopted by the Financial Services Commission  
45 pursuant to s. 215.55865, including any proposed changes to the  
46 uniform home grading scale. By October 1, 2011, the commission  
47 shall adopt rules requiring insurers to make rate filings for  
48 residential property insurance which revise insurers' discounts,  
49 credits, or other rate differentials for hurricane mitigation  
50 measures so that such rate differentials correlate directly to  
51 the uniform home grading scale. The rules may include such  
52 changes to the uniform home grading scale as the commission  
53 determines are necessary, and may specify the minimum required  
54 discounts, credits, or other rate differentials. Such rate  
55 differentials must be consistent with generally accepted  
56 actuarial principles and wind-loss mitigation studies. The rules  
57 shall allow a period of at least 2 years after the effective  
58 date of the revised mitigation discounts, credits, or other rate  
59 differentials for a property owner to obtain an inspection or  
60 otherwise qualify for the revised credit, during which time the  
61 insurer shall continue to apply the mitigation credit that was  
62 applied immediately prior to the effective date of the revised  
63 credit. Discounts, credits, and other rate differentials  
64 established for rate filings under this paragraph shall  
65 supersede, after adoption, the discounts, credits, and other  
66 rate differentials included in rate filings under paragraph (a).

67  
68 ===== T I T L E A M E N D M E N T =====

69 And the title is amended as follows:

70 Delete lines 3612 - 3616

71 and insert:



499748

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F.S.; deleting obsolete provisions; conforming  
provisions to changes made by the act;