

By Senator Mayfield

17-00320-18

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1 A bill to be entitled
2 An act relating to permissible insurance acts;
3 amending s. 626.9541, F.S.; revising the types, value,
4 and frequency of advertising and promotional gifts
5 that licensed insurers or their agents may give to
6 insureds, prospective insureds, or others; authorizing
7 such insurers and agents to make specified charitable
8 contributions on behalf of insureds or prospective
9 insureds; prohibiting title insurance agents, title
10 insurance agencies, or title insurers from giving
11 insureds, prospective insureds, or others any article
12 of merchandise in excess of a specified value;
13 providing applicability; providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Paragraph (m) of subsection (1) of section
18 626.9541, Florida Statutes, is amended to read:

19 626.9541 Unfair methods of competition and unfair or
20 deceptive acts or practices defined.—

21 (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE
22 ACTS.—The following are defined as unfair methods of competition
23 and unfair or deceptive acts or practices:

24 (m) Advertising and promotional gifts and charitable
25 contributions permitted.—

26 1. No provision of paragraph (f), paragraph (g), or
27 paragraph (h) shall be deemed to prohibit a licensed insurer or
28 its agent from:

29 a. Giving to insureds, prospective insureds, or ~~and~~ others.

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30 ~~for the purpose of advertising,~~ any article of merchandise,
31 goods, wares, store gift cards, gift certificates, event
32 tickets, anti-fraud or loss mitigation services, and other items
33 having a total value of \$100 or less per customer or prospective
34 customer within 1 calendar year ~~having a value of not more than~~
35 ~~\$25.~~

36 b. Making charitable contributions, as defined in s. 170(c)
37 of the Internal Revenue Code, on behalf of insureds or
38 prospective insureds, of up to \$100 per insured or prospective
39 insured, within 1 calendar year.

40 2. A title insurance agent or title insurance agency, as
41 those terms are defined in s. 626.841, or a title insurer, as
42 defined in s. 627.7711, may not give to insureds, prospective
43 insureds, or others, for the purpose of advertising, any article
44 of merchandise having a value of more than \$25. A person or
45 entity governed by this subparagraph is not subject to
46 subparagraph 1.

47 Section 2. This act shall take effect July 1, 2018.