

By Senator Bracy

11-00077C-21

2021490__

1 A bill to be entitled
2 An act relating to Juneteenth Day; amending s.
3 110.117, F.S.; designating Juneteenth Day as a paid
4 holiday for employees of all branches and agencies of
5 state government; amending ss. 627.062, 627.0651, and
6 627.410, F.S.; conforming cross-references to changes
7 made by the act; amending s. 683.01, F.S.; designating
8 Juneteenth Day as a legal holiday; repealing s.
9 683.21, F.S., relating to Juneteenth Day; deleting
10 provisions designating Juneteenth Day as a special
11 observance, to conform to changes made by the act;
12 providing an effective date.

13
14 WHEREAS, on January 1, 1863, President Abraham Lincoln
15 issued the Emancipation Proclamation, which afforded free status
16 under federal law to the millions of enslaved African Americans
17 who resided in states that had seceded from the Union, including
18 Florida, and

19 WHEREAS, despite the issuance of the Emancipation
20 Proclamation, it was not fully enforced in certain regions of
21 the United States for more than 2 years afterwards, and

22 WHEREAS, on or about June 19, 1865, federal authorities
23 arrived in Galveston, Texas, to enforce the Emancipation
24 Proclamation and further inform slaves that the Civil War had
25 ended and that the enslaved were now free, and

26 WHEREAS, thereafter, former slaves and their descendants
27 continued to commemorate each June 19 to celebrate freedom and
28 the emancipation of all slaves in the United States, and

29 WHEREAS, emancipation in Florida was proclaimed in

11-00077C-21

2021490__

30 Tallahassee on May 20, 1865, and for this reason Floridians
31 traditionally celebrate Emancipation Day on May 20 of each year,
32 and

33 WHEREAS, in 1991, the Florida Legislature officially
34 designated June 19 of each year as "Juneteenth Day" to
35 commemorate the freeing of slaves, but did not designate the day
36 as an official legal holiday, and

37 WHEREAS, this act designates Juneteenth Day as a legal
38 holiday in this state and as a paid holiday for employees of all
39 branches and agencies of state government to further commemorate
40 the announcement of the abolition of slavery and to recognize
41 the significant contributions of African Americans to this state
42 and our nation, NOW, THEREFORE,

43

44 Be It Enacted by the Legislature of the State of Florida:

45

46 Section 1. Subsection (1) of section 110.117, Florida
47 Statutes, is amended to read:

48 110.117 Paid holidays.—

49 (1) The following holidays shall be paid holidays observed
50 by all state branches and agencies:

51 (a) New Year's Day.

52 (b) Birthday of Martin Luther King, Jr., third Monday in
53 January.

54 (c) Memorial Day.

55 (d) Juneteenth Day, June 19.

56 (e) Independence Day.

57 (f) ~~(e)~~ Labor Day.

58 (g) ~~(f)~~ Veterans' Day, November 11.

11-00077C-21

2021490__

- 59 (h)~~(g)~~ Thanksgiving Day.
60 (i)~~(h)~~ Friday after Thanksgiving.
61 (j)~~(i)~~ Christmas Day.

62
63 ~~(j)~~ If any of these holidays falls on Saturday, the preceding
64 Friday shall be observed as a holiday. If any of these holidays
65 falls on Sunday, the following Monday shall be observed as a
66 holiday.

67 Section 2. Paragraph (a) of subsection (2) of section
68 627.062, Florida Statutes, is amended to read:

69 627.062 Rate standards.—

70 (2) As to all such classes of insurance:

71 (a) Insurers or rating organizations shall establish and
72 use rates, rating schedules, or rating manuals that allow the
73 insurer a reasonable rate of return on the classes of insurance
74 written in this state. A copy of rates, rating schedules, rating
75 manuals, premium credits or discount schedules, and surcharge
76 schedules, and changes thereto, must be filed with the office
77 under one of the following procedures:

78 1. If the filing is made at least 90 days before the
79 proposed effective date and is not implemented during the
80 office's review of the filing and any proceeding and judicial
81 review, such filing is considered a "file and use" filing. In
82 such case, the office shall finalize its review by issuance of a
83 notice of intent to approve or a notice of intent to disapprove
84 within 90 days after receipt of the filing. If the 90-day period
85 ends on a weekend or a holiday under s. 110.117(1)(a)-(j) ~~s.~~
86 ~~110.117(1)(a)-(i)~~, it must be extended until the conclusion of
87 the next business day. The notice of intent to approve and the

11-00077C-21

2021490__

88 notice of intent to disapprove constitute agency action for
89 purposes of the Administrative Procedure Act. Requests for
90 supporting information, requests for mathematical or mechanical
91 corrections, or notification to the insurer by the office of its
92 preliminary findings does not toll the 90-day period during any
93 such proceedings and subsequent judicial review. The rate shall
94 be deemed approved if the office does not issue a notice of
95 intent to approve or a notice of intent to disapprove within 90
96 days after receipt of the filing.

97 2. If the filing is not made in accordance with
98 subparagraph 1., such filing must be made as soon as
99 practicable, but within 30 days after the effective date, and is
100 considered a "use and file" filing. An insurer making a "use and
101 file" filing is potentially subject to an order by the office to
102 return to policyholders those portions of rates found to be
103 excessive, as provided in paragraph (h).

104 3. For all property insurance filings made or submitted
105 after January 25, 2007, but before May 1, 2012, an insurer
106 seeking a rate that is greater than the rate most recently
107 approved by the office shall make a "file and use" filing. For
108 purposes of this subparagraph, motor vehicle collision and
109 comprehensive coverages are not considered property coverages.

110
111 The provisions of this subsection do not apply to workers'
112 compensation, employer's liability insurance, and motor vehicle
113 insurance.

114 Section 3. Paragraph (a) of subsection (1) of section
115 627.0651, Florida Statutes, is amended to read:

116 627.0651 Making and use of rates for motor vehicle

11-00077C-21

2021490__

117 insurance.—

118 (1) Insurers shall establish and use rates, rating
119 schedules, or rating manuals to allow the insurer a reasonable
120 rate of return on motor vehicle insurance written in this state.
121 A copy of rates, rating schedules, and rating manuals, and
122 changes therein, shall be filed with the office under one of the
123 following procedures:

124 (a) If the filing is made at least 60 days before the
125 proposed effective date and the filing is not implemented during
126 the office's review of the filing and any proceeding and
127 judicial review, such filing shall be considered a "file and
128 use" filing. In such case, the office shall initiate proceedings
129 to disapprove the rate and so notify the insurer or shall
130 finalize its review within 60 days after receipt of the filing.
131 If the 60-day period ends on a weekend or a holiday under s.
132 110.117(1)(a)-(j) ~~s. 110.117(1)(a)-(i)~~, it must be extended
133 until the conclusion of the next business day. Notification to
134 the insurer by the office of its preliminary findings shall toll
135 the 60-day period during any such proceedings and subsequent
136 judicial review. The rate shall be deemed approved if the office
137 does not issue notice to the insurer of its preliminary findings
138 within 60 days after the filing.

139 Section 4. Subsection (2) of section 627.410, Florida
140 Statutes, is amended to read:

141 627.410 Filing, approval of forms.—

142 (2) Every such filing must be made at least 30 days in
143 advance of any such use or delivery. At the expiration of the 30
144 days, the form filed will be deemed approved unless prior
145 thereto it has been affirmatively approved or disapproved by

11-00077C-21

2021490__

146 order of the office. The approval of such form by the office
147 constitutes a waiver of any unexpired portion of such waiting
148 period. The office may extend the period within which it may
149 affirmatively approve or disapprove such form by up to 15 days
150 by giving notice of such extension before expiration of the
151 initial 30-day period. If the initial 30-day period or the 15-
152 day extension period ends on a weekend or a holiday under s.
153 110.117(1)(a)-(j) ~~s. 110.117(1)(a)-(i)~~, the review period must
154 be extended until the conclusion of the next business day. At
155 the expiration of such extended period, and in the absence of
156 prior affirmative approval or disapproval, such form shall be
157 deemed approved.

158 Section 5. Present paragraphs (n) through (u) of subsection
159 (1) of section 683.01, Florida Statutes, are redesignated as
160 paragraphs (o) through (v), respectively, and a new paragraph
161 (n) is added to that subsection, to read:

162 683.01 Legal holidays.—

163 (1) The legal holidays, which are also public holidays, are
164 the following:

165 (n) Juneteenth Day, June 19.

166 Section 6. Section 683.21, Florida Statutes, is repealed.

167 Section 7. This act shall take effect July 1, 2021.