A bill to be entitled
An act relating to insurance; amending s. 215.555, F.S.; redefining the term “covered policy” under the Florida Hurricane Catastrophe Fund in relation to certain collateral protection insurance policies; amending s. 440.381, F.S.; revising the annual audit requirement for construction classes to apply to new and renewal policies having estimated annual premiums over a specified threshold; amending s. 624.423, F.S.; specifying when service of process is valid and binding upon insurers; creating s. 624.46227, F.S.; authorizing any association, trust, or pool created for the purpose of forming a risk management mechanism or providing self-insurance for a public entity to establish a quorum and conduct public business through communications media technology; amending s. 626.856, F.S.; revising the definition of the term “company employee adjuster”; amending s. 627.062, F.S.; authorizing the use of a certain modeling indication for residential property insurance rate filings; amending s. 627.0629, F.S.; authorizing insurers to file certain insurance rating plans based on certain windstorm mitigation construction standards, if certain requirements are met; amending s. 627.0665, F.S.; revising notification requirements for insurers who have automatic bank withdrawal agreements with insureds to include notices when withdrawal amounts increase above a specified threshold; amending s. 627.351, F.S.; revising conditions for determining the

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ineligibility of condominiums for wind-only coverage; amend s. 627.421, F.S.; deleting a requirement for electronic transmissions of certain documents to include specified notices; deleting a requirement that paper copies of policies be provided upon request; amending ss. 627.701 and 627.712, F.S.; revising policyholder acknowledgment statement requirements for property insurance policies having certain hurricane deductibles or windstorm or contents coverage exclusions, respectively; amending s. 627.7152, F.S.; revising the definition of the term “assignment agreement”; specifying the addresses to which a notice of intent must be served; amending s. 627.7276, F.S.; revising notice requirements for motor vehicle policies that do not provide coverage for bodily injury and property damage liability; amending ss. 634.171, 634.317, and 634.419, F.S.; authorizing licensed personal lines or general lines agents to solicit, negotiate, advertise, or sell motor vehicle service agreements, home warranty contracts, and service warranty contracts, respectively, without a sales representative license; making technical changes; reenacting ss. 624.424(10) and 627.351(6)(v), F.S., relating to annual statements and other information and Citizens Property Insurance Corporation, respectively, to incorporate the amendment made to s. 215.555, F.S., in references thereto; reenacting s. 626.865(1)(e), F.S., relating to public adjuster’s qualifications, to incorporate
the amendment made to s. 626.856, F.S., in a reference thereto; reenacting s. 627.7153(1) and (2)(d), F.S., relating to policies restricting assignment of post-loss benefits under a property insurance policy, to incorporate the amendment made to s. 627.7152, F.S., in references thereto; providing effective dates.

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

Section 1. Effective June 1, 2023, paragraph (c) of subsection (2) of section 215.555, Florida Statutes, is amended to read:

215.555 Florida Hurricane Catastrophe Fund.—
(2) DEFINITIONS.—As used in this section:
(c) “Covered policy” means any insurance policy covering residential property in this state, including, but not limited to, any homeowner, mobile home owner, farm owner, condominium association, condominium unit owner, tenant, or apartment building policy, or any other policy covering a residential structure or its contents issued by any authorized insurer, including a commercial self-insurance fund holding a certificate of authority issued by the Office of Insurance Regulation under s. 624.462, the Citizens Property Insurance Corporation, and any joint underwriting association or similar entity created under law. The term “covered policy” includes any collateral protection insurance policy covering personal residences which protects both the borrower’s and the lender’s financial interests, in an amount at least equal to the coverage amount for the dwelling in place under the lapsed homeowner’s policy,
the coverage amount that the homeowner has been notified of by
the collateral protection insurer, or the coverage amount the
homeowner requests from the collateral protection insurer, if
such collateral protection insurance policy can be accurately
reported as required in subsection (5). Additionally, covered
policies include policies covering the peril of wind removed
from the Florida Residential Property and Casualty Joint
Underwriting Association or from the Citizens Property Insurance
Corporation, created under s. 627.351(6), or from the Florida
Windstorm Underwriting Association, created under s. 627.351(2),
by an authorized insurer under the terms and conditions of an
executed assumption agreement between the authorized insurer and
such association or Citizens Property Insurance Corporation.
Each assumption agreement between the association and such
authorized insurer or Citizens Property Insurance Corporation
must be approved by the Office of Insurance Regulation before
the effective date of the assumption, and the Office of
Insurance Regulation must provide written notification to the
board within 15 working days after such approval. “Covered
policy” does not include any policy that excludes wind coverage
or hurricane coverage or any reinsurance agreement and does not
include any policy otherwise meeting this definition which is
issued by a surplus lines insurer or a reinsurer. All commercial
residential excess policies and all deductible buy-back policies
that, based on sound actuarial principles, require individual
ratemaking must be excluded by rule if the actuarial
soundness of the fund is not jeopardized. For this purpose, the
term “excess policy” means a policy that provides insurance
protection for large commercial property risks and that provides
a layer of coverage above a primary layer insured by another insurer.

Section 2. Subsection (3) of section 440.381, Florida Statutes, is amended to read:

440.381 Application for coverage; reporting payroll; payroll audit procedures; penalties.—

(3) The Financial Services Commission, in consultation with the department, shall establish by rule minimum requirements for audits of payroll and classifications in order to ensure that the appropriate premium is charged for workers’ compensation coverage. The rules must shall ensure that audits performed by both carriers and employers are adequate to provide that all sources of payments to employees, subcontractors, and independent contractors are have been reviewed and that the accuracy of classification of employees is has been verified. The rules must require shall provide that employers in all classes other than the construction class be audited at least not less frequently than biennially and may provide for more frequent audits of employers in specified classifications based on factors such as amount of premium, type of business, loss ratios, or other relevant factors. In no event shall Employers in the construction class generating more than the amount of premium required to be experience rated must be audited at least less than annually. The annual audits required for construction classes must shall consist of physical onsite audits for new and renewal policies only if the estimated annual premium is $10,000 or more. Payroll verification audit rules must include, but need not be limited to, the use of state and federal reports of employee income, payroll and other accounting
records, certificates of insurance maintained by subcontractors, and duties of employees. At the completion of an audit, the employer or officer of the corporation and the auditor must print and sign their names on the audit document and attach proof of identification to the audit document.

Section 3. Effective upon this act becoming a law, subsection (3) of section 624.423, Florida Statutes, is amended to read:

624.423 Serving process.—
(3) Service of process is valid and binding upon the insurer on the date process served upon the Chief Financial Officer is delivered to the insurer and sent or the date on which the insurer is notified that such information has been made available on a secured network in accordance with this section and s. 624.307(9) shall for all purposes constitute valid and binding service thereof upon the insurer.

Section 4. Section 624.46227, Florida Statutes, is created to read:

624.46227 Meeting requirements.—Any association, trust, or pool authorized by state law and created for the purpose of forming a risk management mechanism or providing self-insurance for public entities in this state may establish a quorum and conduct public business through communications media technology.

Section 5. Section 626.856, Florida Statutes, is amended to read:

626.856 “Company employee adjuster” defined.—A “company employee adjuster” means a person licensed as an all-lines adjuster who is appointed and employed on an insurer’s staff of adjusters, by an affiliate, or by a wholly owned subsidiary of
the insurer, and who undertakes on behalf of such insurer or
other insurers under common control or ownership to ascertain
and determine the amount of any claim, loss, or damage payable
under a contract of insurance, or undertakes to effect
settlement of such claim, loss, or damage.

Section 6. Paragraph (j) of subsection (2) of section
627.062, Florida Statutes, is amended to read:

627.062 Rate standards.—
(2) As to all such classes of insurance:
(j) With respect to residential property insurance rate
filings, the rate filing:
1. Must account for mitigation measures undertaken by
policyholders to reduce hurricane losses.
2. May use a modeling indication that is the weighted or
straight average of two or more models found by the commission
to be accurate or reliable pursuant to s. 627.0628.

The provisions of this subsection do not apply to workers’
compensation, employer’s liability insurance, and motor vehicle
insurance.

Section 7. Subsection (9) is added to section 627.0629,
Florida Statutes, to read:

627.0629 Residential property insurance; rate filings.—
(9) An insurer may file with the office a personal lines
residential property insurance rating plan that provides
justified premium discounts, credits, or other rate
differentials based on windstorm mitigation construction
standards developed by an independent, not-for-profit scientific
research organization, if such standards meet the requirements

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Section 8. Section 627.0665, Florida Statutes, is amended to read:

627.0665 Automatic bank withdrawal agreements; notification required.—Any insurer licensed to issue insurance in this the state who has an automatic bank withdrawal agreement with an insured party for the payment of insurance premiums for any type of insurance shall give the named insured at least 15 days advance written notice of any increase in policy premiums that results in the next automatic bank withdrawal being increased by more than $10. Such notice must be provided before prior to any automatic bank withdrawal containing the of an increased premium amount.

Section 9. Paragraph (a) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(a) The public purpose of this subsection is to ensure that there is an orderly market for property insurance for residents and businesses of this state.

1. The Legislature finds that private insurers are unwilling or unable to provide affordable property insurance coverage in this state to the extent sought and needed. The absence of affordable property insurance threatens the public health, safety, and welfare and likewise threatens the economic health of the state. The state therefore has a compelling public interest and a public purpose to assist in assuring that property in this the state is insured and that it is insured at affordable rates so as to facilitate the remediation,
reconstruction, and replacement of damaged or destroyed property in order to reduce or avoid the negative effects otherwise resulting to the public health, safety, and welfare, to the economy of the state, and to the revenues of the state and local governments which are needed to provide for the public welfare. It is necessary, therefore, to provide affordable property insurance to applicants who are in good faith entitled to procure insurance through the voluntary market but are unable to do so. The Legislature intends, therefore, that affordable property insurance be provided and that it continue to be provided, as long as necessary, through Citizens Property Insurance Corporation, a government entity that is an integral part of the state, and that is not a private insurance company. To that end, the corporation shall strive to increase the availability of affordable property insurance in this state, while achieving efficiencies and economies, and while providing service to policyholders, applicants, and agents which is no less than the quality generally provided in the voluntary market, for the achievement of the foregoing public purposes. Because it is essential for this government entity to have the maximum financial resources to pay claims following a catastrophic hurricane, it is the intent of the Legislature that the corporation continue to be an integral part of the state and that the income of the corporation be exempt from federal income taxation and that interest on the debt obligations issued by the corporation be exempt from federal income taxation.

2. The Residential Property and Casualty Joint Underwriting Association originally created by this statute shall be known as the Citizens Property Insurance Corporation. The corporation
shall provide insurance for residential and commercial property, for applicants who are entitled, but, in good faith, are unable to procure insurance through the voluntary market. The corporation shall operate pursuant to a plan of operation approved by order of the Financial Services Commission. The plan is subject to continuous review by the commission. The commission may, by order, withdraw approval of all or part of a plan if the commission determines that conditions have changed since approval was granted and that the purposes of the plan require changes in the plan. For the purposes of this subsection, residential coverage includes both personal lines residential coverage, which consists of the type of coverage provided by homeowner, mobile home owner, dwelling, tenant, condominium unit owner, and similar policies; and commercial lines residential coverage, which consists of the type of coverage provided by condominium association, apartment building, and similar policies.

3. With respect to coverage for personal lines residential structures:
   a. Effective January 1, 2014, a structure that has a dwelling replacement cost of $1 million or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $1 million or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2013, may continue to be covered by the corporation until the end of the policy term. The office shall approve the method used by the corporation for valuing the dwelling replacement cost for the purposes of this subparagraph. If a policyholder is insured by the corporation before being
determined to be ineligible pursuant to this subparagraph and such policyholder files a lawsuit challenging the determination, the policyholder may remain insured by the corporation until the conclusion of the litigation.

b. Effective January 1, 2015, a structure that has a dwelling replacement cost of $900,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $900,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2014, may continue to be covered by the corporation only until the end of the policy term.

c. Effective January 1, 2016, a structure that has a dwelling replacement cost of $800,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $800,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2015, may continue to be covered by the corporation until the end of the policy term.

d. Effective January 1, 2017, a structure that has a dwelling replacement cost of $700,000 or more, or a single condominium unit that has a combined dwelling and contents replacement cost of $700,000 or more, is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2016, may continue to be covered by the corporation until the end of the policy term.

The requirements of sub-subparagraphs b.-d. do not apply in counties where the office determines there is not a reasonable degree of competition. In such counties a personal lines
residential structure that has a dwelling replacement cost of less than $1 million, or a single condominium unit that has a combined dwelling and contents replacement cost of less than $1 million, is eligible for coverage by the corporation.

4. It is the intent of the Legislature that policyholders, applicants, and agents of the corporation receive service and treatment of the highest possible level but never less than that generally provided in the voluntary market. It is also intended that the corporation be held to service standards no less than those applied to insurers in the voluntary market by the office with respect to responsiveness, timeliness, customer courtesy, and overall dealings with policyholders, applicants, or agents of the corporation.

5.a. Effective January 1, 2009, a personal lines residential structure that is located in the “wind-borne debris region,” as defined in s. 1609.2, International Building Code (2006), and that has an insured value on the structure of $750,000 or more is not eligible for coverage by the corporation unless the structure has opening protections as required under the Florida Building Code for a newly constructed residential structure in that area. A residential structure is deemed to comply with this sub-subparagraph if it has shutters or opening protections on all openings and if such opening protections complied with the Florida Building Code at the time they were installed.

b. Any major structure, as defined in s. 161.54(6)(a), that is newly constructed, or rebuilt, repaired, restored, or remodeled to increase the total square footage of finished area by more than 25 percent, pursuant to a permit applied for after
July 1, 2015, is not eligible for coverage by the corporation if the structure is seaward of the coastal construction control line established pursuant to s. 161.053 or is within the Coastal Barrier Resources System as designated by 16 U.S.C. ss. 3501-3510.

6. With respect to wind-only coverage for commercial lines residential condominiums, effective July 1, 2014, a condominium may be deemed ineligible for coverage if 50 percent or more of the units are rented more than eight times in a calendar year for a rental agreement period of less than 30 days.

Section 10. Subsection (1) of section 627.421, Florida Statutes, is amended to read:

627.421 Delivery of policy.—

(1) Subject to the insurer’s requirement as to payment of premium, every policy shall be mailed, delivered, or electronically transmitted to the insured or to the person entitled thereto not later than 60 days after the effectuation of coverage. Notwithstanding any other provision of law, an insurer may allow a policyholder of personal lines insurance to affirmatively elect delivery of the policy documents, including, but not limited to, policies, endorsements, notices, or documents, by electronic means in lieu of delivery by mail. Electronic transmission of a policy for commercial risks, including, but not limited to, workers’ compensation and employers’ liability, commercial automobile liability, commercial automobile physical damage, commercial lines residential property, commercial nonresidential property, farmowners insurance, and the types of commercial lines risks
set forth in s. 627.062(3)(d), constitutes delivery to the
insured or to the person entitled to delivery, unless the
insured or the person entitled to delivery communicates to the
insurer in writing or electronically that he or she does not
agree to delivery by electronic means. Electronic transmission
shall include a notice to the insured or to the person entitled
to delivery of a policy of his or her right to receive the
policy via United States mail rather than via electronic
transmission. A paper copy of the policy shall be provided to
the insured or to the person entitled to delivery at his or her
request.

Section 11. Paragraph (d) of subsection (4) of section
627.701, Florida Statutes, is amended to read:
627.701 Liability of insureds; coinsurance; deductibles.—
(4)
(d)1. A personal lines residential property insurance
policy covering a risk valued at less than $500,000 may not have
a hurricane deductible in excess of 10 percent of the policy
dwelling limits, unless the following conditions are met:
   a. The policyholder must personally write or type and
provide to the insurer the following statement in his or her own
handwriting and sign his or her name, which must also be signed
by every other named insured on the policy, and dated: “I do not
want the insurance on my home to pay for the first (specify
dollar value) of damage from hurricanes. I will pay those costs.
My insurance will not.”
   b. If the structure insured by the policy is subject to a
mortgage or lien, the policyholder must provide the insurer with
a written statement from the mortgageholder or lienholder
indicating that the mortgageholder or lienholder approves the policyholder electing to have the specified deductible.

2. A deductible subject to the requirements of this paragraph applies for the term of the policy and for each renewal thereafter. Changes to the deductible percentage may be implemented only as of the date of renewal.

3. An insurer shall keep the original copy of the signed statement required by this paragraph, electronically or otherwise, and provide a copy to the policyholder providing the signed statement. A signed statement meeting the requirements of this paragraph creates a presumption that there was an informed, knowing election of coverage.

4. The commission shall adopt rules providing appropriate alternative methods for providing the statements required by this section for policyholders who have a handicapping or disabling condition that prevents them from providing a handwritten statement.

Section 12. Paragraph (a) of subsection (2) and subsection (3) of section 627.712, Florida Statutes, are amended to read:

627.712 Residential windstorm coverage required; availability of exclusions for windstorm or contents.—

(2) A property insurer must make available, at the option of the policyholder, an exclusion of windstorm coverage.

(a) The coverage may be excluded only if:

1. When the policyholder is a natural person, the policyholder personally writes or types and provides to the insurer the following statement in his or her own handwriting and signs his or her name, which must also be signed by every other named insured on the policy, and dated: “I do not want the
insurance on my (home/mobile home/condominium unit) to pay for
damage from windstorms. I will pay those costs. My insurance
will not."

2. When the policyholder is other than a natural person,
the policyholder provides to the insurer on the policyholder’s
letterhead the following statement that must be signed by the
policyholder’s authorized representative and dated: “...(Name of
entity)... does not want the insurance on its ...(type of
structure)... to pay for damage from windstorms. ...(Name of
entity)... will be responsible for these costs. ...(Name of
entity’s)... insurance will not.”

(3) An insurer issuing a residential property insurance
policy, except for a condominium unit owner policy or a tenant
policy, must make available, at the option of the policyholder,
an exclusion of coverage for the contents. The coverage may be
excluded only if the policyholder personally writes or types and
provides to the insurer the following statement in his or her
own handwriting and signs his or her signature, which must also
be signed by every other named insured on the policy, and dated:
“I do not want the insurance on my (home/mobile home) to pay for
the costs to repair or replace any contents that are damaged. I
will pay those costs. My insurance will not.”

Section 13. Effective upon this act becoming a law,
paragraph (b) of subsection (1) and paragraph (a) of subsection
(9) of section 627.7152, Florida Statutes, are amended to read:

627.7152 Assignment agreements.—

(1) As used in this section, the term:
(b) “Assignment agreement” means any instrument by which
post-loss benefits under a residential property insurance policy
or commercial property insurance policy, as that term is defined in s. 627.0625(1), are assigned or transferred, or acquired in any manner, in whole or in part, to or from a person providing services, including, but not limited to, scopes of service, to inspect, protect, repair, restore, or replace property or to mitigate against further damage to the property.

(9)(a) An assignee must provide the named insured, insurer, and the assignor, if not the named insured, with a written notice of intent to initiate litigation before filing suit under the policy. Such notice must be served at least 10 business days before filing suit, but not before the insurer has made a determination of coverage under s. 627.70131, by certified mail, return receipt requested, to the name and mailing address designated by the insurer in the policy forms or by electronic delivery to the e-mail address designated by the insurer in the policy forms at least 10 business days before filing suit, but may not be served before the insurer has made a determination of coverage under s. 627.70131. The notice must specify the damages in dispute, the amount claimed, and a presuit settlement demand. Concurrent with the notice, and as a precondition to filing suit, the assignee must provide the named insured, insurer, and the assignor, if not the named insured, a detailed written invoice or estimate of services, including itemized information on equipment, materials, and supplies; the number of labor hours; and, in the case of work performed, proof that the work has been performed in accordance with accepted industry standards.

Section 14. Section 627.7276, Florida Statutes, is amended to read:
627.7276 Notice of limited coverage.—

(1) An automobile policy that does not contain coverage for bodily injury and property damage must include a notice be clearly stamped or printed to the effect that such coverage is not included in the policy in the following manner:

“THIS POLICY DOES NOT PROVIDE BODILY INJURY AND PROPERTY DAMAGE LIABILITY INSURANCE OR ANY OTHER COVERAGE FOR WHICH A SPECIFIC PREMIUM CHARGE IS NOT MADE, AND DOES NOT COMPLY WITH ANY FINANCIAL RESPONSIBILITY LAW.”

(2) This notice legend must accompany appear on the policy declarations declaration page and on the filing back of the policy and be printed in a contrasting color from that used on the policy and in type size larger than the largest type used in the text at least as large as the type size used on the declarations page thereof, as an overprint or by a rubber stamp impression.

Section 15. Section 634.171, Florida Statutes, is amended to read:

634.171 Salesperson to be licensed and appointed; exemptions.—Salespersons for motor vehicle service agreement companies and insurers must shall be licensed, appointed, renewed, continued, reinstated, or terminated as prescribed in chapter 626 for insurance representatives in general. However, they are shall be exempt from all other provisions of chapter 626, including those relating to fingerprinting, photo identification, education, and examination provisions.
Applicable license, appointment, and other fees are as shall be those prescribed in s. 624.501. A licensed and appointed salesperson is shall be directly responsible and accountable for all acts of her or his employees and other representatives. Each service agreement company or insurer shall, on forms prescribed by the department, within 30 days after termination of the appointment, notify the department of such termination. An employee or a salesperson of a motor vehicle service agreement company or an insurer may not directly or indirectly solicit or negotiate insurance contracts, or hold herself or himself out in any manner to be an insurance agent, unless so qualified, licensed, and appointed therefor under the Florida Insurance Code. A licensed personal lines or general lines agent is not required to be licensed as a salesperson under this section to solicit, negotiate, advertise, or sell motor vehicle service agreements. A motor vehicle service agreement company is not required to be licensed as a salesperson to solicit, sell, issue, or otherwise transact the motor vehicle service agreements issued by the motor vehicle service agreement company.

Section 16. Section 634.317, Florida Statutes, is amended to read:

634.317 License and appointment required; exemptions.—A person may not solicit, negotiate, or effectuate home warranty contracts for remuneration in this state unless such person is licensed and appointed as a sales representative. A licensed and appointed sales representative is shall be directly responsible and accountable for all acts of the licensee’s employees. A licensed personal lines or general lines agent is not required
to be licensed as a sales representative under this section to
solicit, negotiate, advertise, or sell home warranty contracts.

Section 17. Section 634.419, Florida Statutes, is amended
to read:

634.419 License and appointment required; exemptions.—A No
person or an entity may not solicit, negotiate, advertise,
or effectuate service warranty contracts in this state unless
such person or entity is licensed and appointed as a sales
representative. Sales representatives shall be responsible
for the actions of persons under their supervision. However, a
service warranty association licensed as such under this part is
shall not be required to be licensed and appointed as a sales
representative to solicit, negotiate, advertise, or effectuate
its products. A licensed personal lines or general lines agent
is not required to be licensed as a sales representative under
this section to solicit, negotiate, advertise, or sell service
warranty contracts.

Section 18. Effective June 1, 2023, for the purpose of
incorporating the amendment made by this act to section 215.555,
Florida Statutes, in a reference thereto, subsection (10) of
section 624.424, Florida Statutes, is reenacted to read:

624.424 Annual statement and other information.—
(10) Each insurer or insurer group doing business in this
state shall file on a quarterly basis in conjunction with
financial reports required by paragraph (1)(a) a supplemental
report on an individual and group basis on a form prescribed by
the commission with information on personal lines and commercial
lines residential property insurance policies in this state. The
supplemental report shall include separate information for
personal lines property policies and for commercial lines
property policies and totals for each item specified, including
premiums written for each of the property lines of business as
described in ss. 215.555(2)(c) and 627.351(6)(a). The report
shall include the following information for each county on a
monthly basis:

(a) Total number of policies in force at the end of each
month.

(b) Total number of policies canceled.

(c) Total number of policies nonrenewed.

(d) Number of policies canceled due to hurricane risk.

(e) Number of policies nonrenewed due to hurricane risk.

(f) Number of new policies written.

(g) Total dollar value of structure exposure under policies
that include wind coverage.

(h) Number of policies that exclude wind coverage.

Section 19. Effective June 1, 2023, for the purpose of
incorporating the amendment made by this act to section 215.555,
Florida Statutes, in a reference thereto, paragraph (v) of
subsection (6) of section 627.351, Florida Statutes, is
reenacted to read:

627.351 Insurance risk apportionment plans.—
(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(v)1. Effective July 1, 2002, policies of the Residential
Property and Casualty Joint Underwriting Association become
policies of the corporation. All obligations, rights, assets and
liabilities of the association, including bonds, note and debt
obligations, and the financing documents pertaining to them
become those of the corporation as of July 1, 2002. The
corporation is not required to issue endorsements or
certificates of assumption to insureds during the remaining term
of in-force transferred policies.

2. Effective July 1, 2002, policies of the Florida
Windstorm Underwriting Association are transferred to the
corporation and become policies of the corporation. All
obligations, rights, assets, and liabilities of the association,
including bonds, note and debt obligations, and the financing
documents pertaining to them are transferred to and assumed by
the corporation on July 1, 2002. The corporation is not required
to issue endorsements or certificates of assumption to insureds
during the remaining term of in-force transferred policies.

3. The Florida Windstorm Underwriting Association and the
Residential Property and Casualty Joint Underwriting Association
shall take all actions necessary to further evidence the
transfers and provide the documents and instruments of further
assurance as may reasonably be requested by the corporation for
that purpose. The corporation shall execute assumptions and
instruments as the trustees or other parties to the financing
documents of the Florida Windstorm Underwriting Association or
the Residential Property and Casualty Joint Underwriting
Association may reasonably request to further evidence the
transfers and assumptions, which transfers and assumptions,
however, are effective on the date provided under this paragraph
whether or not, and regardless of the date on which, the
assumptions or instruments are executed by the corporation.
Subject to the relevant financing documents pertaining to their
outstanding bonds, notes, indebtedness, or other financing
obligations, the moneys, investments, receivables, choses in
action, and other intangibles of the Florida Windstorm Underwriting Association shall be credited to the coastal account of the corporation, and those of the personal lines residential coverage account and the commercial lines residential coverage account of the Residential Property and Casualty Joint Underwriting Association shall be credited to the personal lines account and the commercial lines account, respectively, of the corporation.

4. Effective July 1, 2002, a new applicant for property insurance coverage who would otherwise have been eligible for coverage in the Florida Windstorm Underwriting Association is eligible for coverage from the corporation as provided in this subsection.

5. The transfer of all policies, obligations, rights, assets, and liabilities from the Florida Windstorm Underwriting Association to the corporation and the renaming of the Residential Property and Casualty Joint Underwriting Association as the corporation does not affect the coverage with respect to covered policies as defined in s. 215.555(2)(c) provided to these entities by the Florida Hurricane Catastrophe Fund. The coverage provided by the fund to the Florida Windstorm Underwriting Association based on its exposures as of June 30, 2002, and each June 30 thereafter shall be redesignated as coverage for the coastal account of the corporation. Notwithstanding any other provision of law, the coverage provided by the fund to the Residential Property and Casualty Joint Underwriting Association based on its exposures as of June 30, 2002, and each June 30 thereafter shall be transferred to the personal lines account and the commercial lines account of
the corporation. Notwithstanding any other provision of law, the coastal account shall be treated, for all Florida Hurricane Catastrophe Fund purposes, as if it were a separate participating insurer with its own exposures, reimbursement premium, and loss reimbursement. Likewise, the personal lines and commercial lines accounts shall be viewed together, for all fund purposes, as if the two accounts were one and represent a single, separate participating insurer with its own exposures, reimbursement premium, and loss reimbursement. The coverage provided by the fund to the corporation shall constitute and operate as a full transfer of coverage from the Florida Windstorm Underwriting Association and Residential Property and Casualty Joint Underwriting Association to the corporation.

Section 20. For the purpose of incorporating the amendment made by this act to section 626.856, Florida Statutes, in a reference thereto, paragraph (e) of subsection (1) of section 626.865, Florida Statutes, is reenacted to read:

626.865 Public adjuster’s qualifications, bond.—
(1) The department shall issue a license to an applicant for a public adjuster’s license upon determining that the applicant has paid the applicable fees specified in s. 624.501 and possesses the following qualifications:

(e) Has been licensed in this state as an all-lines adjuster, and has been appointed on a continual basis for the previous 6 months as a public adjuster apprentice under s. 626.8561, as an independent adjuster under s. 626.855, or as a company employee adjuster under s. 626.856.

Section 21. Effective upon this act becoming a law, for the purpose of incorporating the amendment made by this act to
section 627.7152, Florida Statutes, in references thereto, subsection (1) and paragraph (d) of subsection (2) of section 627.7153, Florida Statutes, are reenacted to read:

627.7153 Policies restricting assignment of post-loss benefits under a property insurance policy.—

1. As used in this section, the term “assignment agreement” has the same meaning as provided in s. 627.7152.

2. An insurer may make available a policy that restricts in whole or in part an insured’s right to execute an assignment agreement only if all of the following conditions are met:

   (d) Each restricted policy include on its face the following notice in 18-point uppercase and boldfaced type:

   THIS POLICY DOES NOT ALLOW THE UNRESTRICTED ASSIGNMENT OF POST-LOSS INSURANCE BENEFITS. BY SELECTING THIS POLICY, YOU WAIVE YOUR RIGHT TO FREELY ASSIGN OR TRANSFER THE POST-LOSS PROPERTY INSURANCE BENEFITS AVAILABLE UNDER THIS POLICY TO A THIRD PARTY OR TO OTHERWISE FREELY ENTER INTO AN ASSIGNMENT AGREEMENT AS THE TERM IS DEFINED IN SECTION 627.7152 OF THE FLORIDA STATUTES.

Section 22. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2022.