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1                   A bill to be entitled  
2     An act relating to insurance; amending s. 215.555,  
3     F.S.; redefining the term "covered policy" under the  
4     Florida Hurricane Catastrophe Fund in relation to  
5     certain collateral protection insurance policies;  
6     amending s. 440.381, F.S.; revising the annual audit  
7     requirement for construction classes to apply to  
8     policies having estimated annual premiums over a  
9     specified threshold; creating s. 624.46227, F.S.;  
10    authorizing any association, trust, or pool created  
11    for the purpose of forming a risk management mechanism  
12    or providing self-insurance for a public entity to use  
13    communications media technology to establish a quorum  
14    and conduct public business; amending s. 626.221,  
15    F.S.; exempting certain applicants for licensure as an  
16    all-lines adjuster from a required examination;  
17    amending s. 626.856, F.S.; revising the definition of  
18    the term "company employee adjuster"; amending s.  
19    627.062, F.S.; authorizing the use of a certain  
20    modeling indication for residential property insurance  
21    rate filings; amending s. 627.0628, F.S.; revising the  
22    membership of the Florida Commission on Hurricane Loss  
23    Projection Methodology; amending s. 627.0629, F.S.;  
24    authorizing insurers to file certain insurance rating  
25    plans based on certain windstorm mitigation  
26    construction standards, if certain requirements are  
27    met; amending s. 627.0665, F.S.; revising the  
28    timeframe for notification of premium increases by  
29    insurers who have automatic bank withdrawal agreements

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30 with insureds; revising notification requirements for  
31 such insurers to include notices when withdrawal  
32 amounts increase above a specified threshold; amending  
33 s. 627.351, F.S.; revising conditions for determining  
34 the ineligibility of condominiums for wind-only  
35 coverage; amending s. 627.421, F.S.; deleting a  
36 requirement for electronic transmissions of certain  
37 documents to include specified notices; deleting a  
38 requirement that paper copies of policies be provided  
39 upon request; amending ss. 627.701 and 627.712, F.S.;  
40 revising policyholder acknowledgment statement  
41 requirements for property insurance policies having  
42 certain hurricane deductibles or windstorm or contents  
43 coverage exclusions, respectively; amending s.  
44 627.7152, F.S.; revising the definition of the term  
45 "assignment agreement"; specifying the addresses to  
46 which a notice of intent must be served; amending s.  
47 627.7276, F.S.; revising notice requirements for motor  
48 vehicle policies that do not provide coverage for  
49 bodily injury and property damage liability; amending  
50 ss. 634.317 and 634.419, F.S.; authorizing licensed  
51 personal lines or general lines agents to solicit,  
52 negotiate, advertise, or sell home warranty contracts  
53 and service warranty contracts, respectively, without  
54 a sales representative license; making technical  
55 changes; reenacting ss. 624.424(10) and 627.351(6)(v),  
56 F.S., relating to annual statements and other  
57 information and Citizens Property Insurance  
58 Corporation, respectively, to incorporate the

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59 amendment made to s. 215.555, F.S., in references  
60 thereto; reenacting s. 626.8734(1)(b), F.S., relating  
61 to nonresident all-lines adjuster license  
62 qualifications, to incorporate the amendment made to  
63 s. 626.221, F.S., in a reference thereto; reenacting  
64 s. 626.865(1)(e), F.S., relating to public adjuster's  
65 qualifications, to incorporate the amendment made to  
66 s. 626.856, F.S., in a reference thereto; reenacting  
67 s. 627.7153(1) and (2)(d), F.S., relating to policies  
68 restricting assignment of post-loss benefits under a  
69 property insurance policy, to incorporate the  
70 amendment made to s. 627.7152, F.S., in references  
71 thereto; providing effective dates.

72  
73 Be It Enacted by the Legislature of the State of Florida:

74  
75 Section 1. Effective June 1, 2023, paragraph (c) of  
76 subsection (2) of section 215.555, Florida Statutes, is amended  
77 to read:

78 215.555 Florida Hurricane Catastrophe Fund.—

79 (2) DEFINITIONS.—As used in this section:

80 (c) "Covered policy" means any insurance policy covering  
81 residential property in this state, including, but not limited  
82 to, any homeowner, mobile home owner, farm owner, condominium  
83 association, condominium unit owner, tenant, or apartment  
84 building policy, or any other policy covering a residential  
85 structure or its contents issued by any authorized insurer,  
86 including a commercial self-insurance fund holding a certificate  
87 of authority issued by the Office of Insurance Regulation under

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88 s. 624.462, the Citizens Property Insurance Corporation, and any  
89 joint underwriting association or similar entity created under  
90 law. The term ~~"covered policy"~~ includes any collateral  
91 protection insurance policy covering personal residences which  
92 protects both the borrower's and the lender's financial  
93 interests, in an amount at least equal to the coverage amount  
94 for the dwelling in place under the lapsed homeowner's policy,  
95 the coverage amount that the homeowner has been notified of by  
96 the collateral protection insurer, or the coverage amount the  
97 homeowner requests from the collateral protection insurer, if  
98 such collateral protection insurance policy can be accurately  
99 reported as required in subsection (5). Additionally, covered  
100 policies include policies covering the peril of wind removed  
101 from the Florida Residential Property and Casualty Joint  
102 Underwriting Association or from the Citizens Property Insurance  
103 Corporation, created under s. 627.351(6), or from the Florida  
104 Windstorm Underwriting Association, created under s. 627.351(2),  
105 by an authorized insurer under the terms and conditions of an  
106 executed assumption agreement between the authorized insurer and  
107 such association or Citizens Property Insurance Corporation.  
108 Each assumption agreement between the association and such  
109 authorized insurer or Citizens Property Insurance Corporation  
110 must be approved by the Office of Insurance Regulation before  
111 the effective date of the assumption, and the Office of  
112 Insurance Regulation must provide written notification to the  
113 board within 15 working days after such approval. "Covered  
114 policy" does not include any policy that excludes wind coverage  
115 or hurricane coverage or any reinsurance agreement and does not  
116 include any policy otherwise meeting this definition which is

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117 issued by a surplus lines insurer or a reinsurer. All commercial  
118 residential excess policies and all deductible buy-back policies  
119 that, based on sound actuarial principles, require individual  
120 ratemaking must ~~shall~~ be excluded by rule if the actuarial  
121 soundness of the fund is not jeopardized. For this purpose, the  
122 term "excess policy" means a policy that provides insurance  
123 protection for large commercial property risks and that provides  
124 a layer of coverage above a primary layer insured by another  
125 insurer.

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

128 440.381 Application for coverage; reporting payroll;  
129 payroll audit procedures; penalties.—

130 (3) The Financial Services Commission, in consultation with  
131 the department, shall establish by rule minimum requirements for  
132 audits of payroll and classifications ~~in order~~ to ensure that  
133 the appropriate premium is charged for workers' compensation  
134 coverage. The rules must ~~shall~~ ensure that audits performed by  
135 both carriers and employers are adequate to provide that all  
136 sources of payments to employees, subcontractors, and  
137 independent contractors are ~~have been~~ reviewed and that the  
138 accuracy of classification of employees is ~~has been~~ verified.  
139 The rules must require ~~shall provide~~ that employers in all  
140 classes other than the construction class be audited at least  
141 ~~not less frequently than~~ biennially and may provide for more  
142 frequent audits of employers in specified classifications based  
143 on factors such as amount of premium, type of business, loss  
144 ratios, or other relevant factors. ~~In no event shall~~ Employers  
145 in the construction class, generating more than the amount of

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146 premium required to be experience rated, must be audited at  
147 least less than annually. The annual audits required for  
148 construction classes must shall consist of physical onsite  
149 audits for policies only if the estimated annual premium is  
150 \$10,000 or more. Payroll verification audit rules must include,  
151 but need not be limited to, the use of state and federal reports  
152 of employee income, payroll and other accounting records,  
153 certificates of insurance maintained by subcontractors, and  
154 duties of employees. At the completion of an audit, the employer  
155 or officer of the corporation and the auditor must print and  
156 sign their names on the audit document and attach proof of  
157 identification to the audit document.

158 Section 3. Section 624.46227, Florida Statutes, is created  
159 to read:

160 624.46227 Meeting requirements.—Any association, trust, or  
161 pool authorized by state law and created for the purpose of  
162 forming a risk management mechanism or providing self-insurance  
163 for public entities in this state may use communications media  
164 technology to establish a quorum and conduct public business.

165 Section 4. Paragraph (j) of subsection (2) of section  
166 626.221, Florida Statutes, is amended to read:

167 626.221 Examination requirement; exemptions.—

168 (2) However, an examination is not necessary for any of the  
169 following:

170 (j) An applicant for license as an all-lines adjuster who  
171 has the designation of Accredited Claims Adjuster (ACA) from a  
172 regionally accredited postsecondary institution in this state,  
173 Associate in Claims (AIC) from the Insurance Institute of  
174 America, Professional Claims Adjuster (PCA) from the

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175 Professional Career Institute, Professional Property Insurance  
176 Adjuster (PPIA) from the HurriClaim Training Academy, Certified  
177 Adjuster (CA) from ALL LINES Training, Certified Claims Adjuster  
178 (CCA) from AE21 Incorporated, Claims Adjuster Certified  
179 Professional (CACP) from WebCE, Inc., Accredited Insurance  
180 Claims Specialist (AICS) from Encore Claim Services, Certified  
181 All Lines Adjuster (CALA) from Kaplan, or Universal Claims  
182 Certification (UCC) from Claims and Litigation Management  
183 Alliance (CLM) whose curriculum has been approved by the  
184 department and which includes comprehensive analysis of basic  
185 property and casualty lines of insurance and testing at least  
186 equal to that of standard department testing for the all-lines  
187 adjuster license. The department shall adopt rules establishing  
188 standards for the approval of curriculum.

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

191 626.856 "Company employee adjuster" defined.—A "company  
192 employee adjuster" means a person licensed as an all-lines  
193 adjuster who is appointed and employed on an insurer's staff of  
194 adjusters, by an affiliate, or by a wholly owned subsidiary of  
195 the insurer, and who undertakes on behalf of such insurer or  
196 other insurers under common control or ownership to ascertain  
197 and determine the amount of any claim, loss, or damage payable  
198 under a contract of insurance, or undertakes to effect  
199 settlement of such claim, loss, or damage.

200 Section 6. Paragraph (j) of subsection (2) of section  
201 627.062, Florida Statutes, is amended to read:

202 627.062 Rate standards.—

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

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204 (j) With respect to residential property insurance rate  
205 filings, the rate filing:

206 1. Must account for mitigation measures undertaken by  
207 policyholders to reduce hurricane losses.

208 2. May use a modeling indication that is the weighted or  
209 straight average of two or more hurricane loss projection models  
210 found by the commission to be accurate or reliable pursuant to  
211 s. 627.0628.

212

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

216 Section 7. Paragraph (b) of subsection (2) of section  
217 627.0628, Florida Statutes, is amended to read:

218 627.0628 Florida Commission on Hurricane Loss Projection  
219 Methodology; public records exemption; public meetings  
220 exemption.—

221 (2) COMMISSION CREATED.—

222 (b) The commission shall consist of the following 12  
223 members:

224 1. The insurance consumer advocate.

225 2. The senior employee of the State Board of Administration  
226 responsible for operations of the Florida Hurricane Catastrophe  
227 Fund.

228 3. The Executive Director of the Citizens Property  
229 Insurance Corporation.

230 4. The Director of the Division of Emergency Management, or  
231 the director's designee, provided such designee is a full-time  
232 employee of the division.

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233           5. The actuary member of the Florida Hurricane Catastrophe  
234 Fund Advisory Council.

235           6. An employee of the office who is an actuary responsible  
236 for property insurance rate filings and who is appointed by the  
237 director of the office.

238           7. Five members appointed by the Chief Financial Officer,  
239 as follows:

240           a. An actuary who is employed full time by a property and  
241 casualty insurer that was responsible for at least 1 percent of  
242 the aggregate statewide direct written premium for homeowner  
243 insurance in the calendar year preceding the member's  
244 appointment to the commission.

245           b. An expert in insurance finance who is a full-time member  
246 of the faculty of the State University System and who has a  
247 background in actuarial science.

248           c. An expert in statistics who is a full-time member of the  
249 faculty of the State University System and who has a background  
250 in insurance.

251           d. An expert in computer system design who is a full-time  
252 member of the faculty of the State University System.

253           e. An expert in meteorology who is a full-time member of  
254 the faculty of the State University System and who specializes  
255 in hurricanes.

256           8. A licensed professional structural engineer who is a  
257 full-time faculty member in the State University System and who  
258 has expertise in wind mitigation techniques. This appointment  
259 shall be made by the Governor.

260           Section 8. Subsection (9) is added to section 627.0629,  
261 Florida Statutes, to read:

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262 627.0629 Residential property insurance; rate filings.—

263 (9) An insurer may file with the office a personal lines  
264 residential property insurance rating plan that provides  
265 justified premium discounts, credits, or other rate  
266 differentials based on windstorm mitigation construction  
267 standards developed by an independent, not-for-profit scientific  
268 research organization, if such standards meet the requirements  
269 of this section.

270 Section 9. Section 627.0665, Florida Statutes, is amended  
271 to read:

272 627.0665 Automatic bank withdrawal agreements; notification  
273 required.—Any insurer licensed to issue insurance in this ~~the~~  
274 state who has an automatic bank withdrawal agreement with an  
275 insured party for the payment of insurance premiums for any type  
276 of insurance shall give the named insured at least 10 ~~15~~ days  
277 advance written notice of any increase in policy premiums that  
278 results in the next automatic bank withdrawal being increased by  
279 more than \$10. Such notice must be provided before ~~prior to~~ any  
280 automatic bank withdrawal containing the ~~of an~~ increased premium  
281 amount.

282 Section 10. Paragraph (a) of subsection (6) of section  
283 627.351, Florida Statutes, is amended to read:

284 627.351 Insurance risk apportionment plans.—

285 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

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

289 1. The Legislature finds that private insurers are  
290 unwilling or unable to provide affordable property insurance

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291 coverage in this state to the extent sought and needed. The  
292 absence of affordable property insurance threatens the public  
293 health, safety, and welfare and likewise threatens the economic  
294 health of the state. The state therefore has a compelling public  
295 interest and a public purpose to assist in assuring that  
296 property in this ~~the~~ state is insured and that it is insured at  
297 affordable rates so as to facilitate the remediation,  
298 reconstruction, and replacement of damaged or destroyed property  
299 in order to reduce or avoid the negative effects otherwise  
300 resulting to the public health, safety, and welfare, to the  
301 economy of the state, and to the revenues of the state and local  
302 governments which are needed to provide for the public welfare.  
303 It is necessary, therefore, to provide affordable property  
304 insurance to applicants who are in good faith entitled to  
305 procure insurance through the voluntary market but are unable to  
306 do so. The Legislature intends, therefore, that affordable  
307 property insurance be provided and that it continue to be  
308 provided, as long as necessary, through Citizens Property  
309 Insurance Corporation, a government entity that is an integral  
310 part of the state, and that is not a private insurance company.  
311 To that end, the corporation shall strive to increase the  
312 availability of affordable property insurance in this state,  
313 while achieving efficiencies and economies, and while providing  
314 service to policyholders, applicants, and agents which is no  
315 less than the quality generally provided in the voluntary  
316 market, for the achievement of the foregoing public purposes.  
317 Because it is essential for this government entity to have the  
318 maximum financial resources to pay claims following a  
319 catastrophic hurricane, it is the intent of the Legislature that

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320 the corporation continue to be an integral part of the state and  
321 that the income of the corporation be exempt from federal income  
322 taxation and that interest on the debt obligations issued by the  
323 corporation be exempt from federal income taxation.

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

344 3. With respect to coverage for personal lines residential  
345 structures:

346 a. Effective January 1, 2014, a structure that has a  
347 dwelling replacement cost of \$1 million or more, or a single  
348 condominium unit that has a combined dwelling and contents

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349 replacement cost of \$1 million or more, is not eligible for  
350 coverage by the corporation. Such dwellings insured by the  
351 corporation on December 31, 2013, may continue to be covered by  
352 the corporation until the end of the policy term. The office  
353 shall approve the method used by the corporation for valuing the  
354 dwelling replacement cost for the purposes of this subparagraph.  
355 If a policyholder is insured by the corporation before being  
356 determined to be ineligible pursuant to this subparagraph and  
357 such policyholder files a lawsuit challenging the determination,  
358 the policyholder may remain insured by the corporation until the  
359 conclusion of the litigation.

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

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

374 d. Effective January 1, 2017, a structure that has a  
375 dwelling replacement cost of \$700,000 or more, or a single  
376 condominium unit that has a combined dwelling and contents  
377 replacement cost of \$700,000 or more, is not eligible for

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378 coverage by the corporation. Such dwellings insured by the  
379 corporation on December 31, 2016, may continue to be covered by  
380 the corporation until the end of the policy term.

381  
382 The requirements of sub-subparagraphs b.-d. do not apply in  
383 counties where the office determines there is not a reasonable  
384 degree of competition. In such counties a personal lines  
385 residential structure that has a dwelling replacement cost of  
386 less than \$1 million, or a single condominium unit that has a  
387 combined dwelling and contents replacement cost of less than \$1  
388 million, is eligible for coverage by the corporation.

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

398 5.a. Effective January 1, 2009, a personal lines  
399 residential structure that is located in the "wind-borne debris  
400 region," as defined in s. 1609.2, International Building Code  
401 (2006), and that has an insured value on the structure of  
402 \$750,000 or more is not eligible for coverage by the corporation  
403 unless the structure has opening protections as required under  
404 the Florida Building Code for a newly constructed residential  
405 structure in that area. A residential structure is deemed to  
406 comply with this sub-subparagraph if it has shutters or opening

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407 protections on all openings and if such opening protections  
408 complied with the Florida Building Code at the time they were  
409 installed.

410 b. Any major structure, as defined in s. 161.54(6)(a), that  
411 is newly constructed, or rebuilt, repaired, restored, or  
412 remodeled to increase the total square footage of finished area  
413 by more than 25 percent, pursuant to a permit applied for after  
414 July 1, 2015, is not eligible for coverage by the corporation if  
415 the structure is seaward of the coastal construction control  
416 line established pursuant to s. 161.053 or is within the Coastal  
417 Barrier Resources System as designated by 16 U.S.C. ss. 3501-  
418 3510.

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

425 Section 11. Subsection (1) of section 627.421, Florida  
426 Statutes, is amended to read:

427 627.421 Delivery of policy.—

428 (1) Subject to the insurer's requirement as to payment of  
429 premium, every policy shall be mailed, delivered, or  
430 electronically transmitted to the insured or to the person  
431 entitled thereto not later than 60 days after the effectuation  
432 of coverage. Notwithstanding any other provision of law, an  
433 insurer may allow a policyholder of personal lines insurance to  
434 affirmatively elect delivery of the policy documents, including,  
435 but not limited to, policies, endorsements, notices, or

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436 documents, by electronic means in lieu of delivery by mail.  
437 Electronic transmission of a policy for commercial risks,  
438 including, but not limited to, workers' compensation and  
439 employers' liability, commercial automobile liability,  
440 commercial automobile physical damage, commercial lines  
441 residential property, commercial nonresidential property,  
442 farmowners insurance, and the types of commercial lines risks  
443 set forth in s. 627.062(3)(d), constitutes delivery to the  
444 insured or to the person entitled to delivery, unless the  
445 insured or the person entitled to delivery communicates to the  
446 insurer in writing or electronically that he or she does not  
447 agree to delivery by electronic means. ~~Electronic transmission~~  
448 ~~shall include a notice to the insured or to the person entitled~~  
449 ~~to delivery of a policy of his or her right to receive the~~  
450 ~~policy via United States mail rather than via electronic~~  
451 ~~transmission. A paper copy of the policy shall be provided to~~  
452 ~~the insured or to the person entitled to delivery at his or her~~  
453 ~~request.~~

454 Section 12. Paragraph (d) of subsection (4) of section  
455 627.701, Florida Statutes, is amended to read:

456 627.701 Liability of insureds; coinsurance; deductibles.—

457 (4)

458 (d)1. A personal lines residential property insurance  
459 policy covering a risk valued at less than \$500,000 may not have  
460 a hurricane deductible in excess of 10 percent of the policy  
461 dwelling limits, unless the following conditions are met:

462 a. The policyholder must personally write or type and  
463 provide to the insurer the following statement ~~in his or her own~~  
464 ~~handwriting~~ and sign his or her name, which must also be signed

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465 by every other named insured on the policy, and dated: "I do not  
466 want the insurance on my home to pay for the first (specify  
467 dollar value) of damage from hurricanes. I will pay those costs.  
468 My insurance will not."

469 b. If the structure insured by the policy is subject to a  
470 mortgage or lien, the policyholder must provide the insurer with  
471 a written statement from the mortgageholder or lienholder  
472 indicating that the mortgageholder or lienholder approves the  
473 policyholder electing to have the specified deductible.

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

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

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

489 Section 13. Paragraph (a) of subsection (2) and subsection  
490 (3) of section 627.712, Florida Statutes, are amended to read:

491 627.712 Residential windstorm coverage required;  
492 availability of exclusions for windstorm or contents.—

493 (2) A property insurer must make available, at the option

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494 of the policyholder, an exclusion of windstorm coverage.

495 (a) The coverage may be excluded only if:

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

504 2. When the policyholder is other than a natural person,  
505 the policyholder provides to the insurer on the policyholder's  
506 letterhead the following statement that must be signed by the  
507 policyholder's authorized representative and dated: "... (Name of  
508 entity)... does not want the insurance on its ... (type of  
509 structure)... to pay for damage from windstorms. ... (Name of  
510 entity)... will be responsible for these costs. ... (Name of  
511 entity's)... insurance will not."

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

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523 Section 14. Effective upon this act becoming a law,  
524 paragraph (b) of subsection (1) and paragraph (a) of subsection  
525 (9) of section 627.7152, Florida Statutes, are amended to read:

526 627.7152 Assignment agreements.—

527 (1) As used in this section, the term:

528 (b) "Assignment agreement" means any instrument by which  
529 post-loss benefits under a residential property insurance policy  
530 or commercial property insurance policy, as that term is defined  
531 in s. 627.0625(1), are assigned or transferred, or acquired in  
532 any manner, in whole or in part, to or from a person providing  
533 services, including, but not limited to, services to inspect,  
534 protect, repair, restore, or replace property or to mitigate  
535 against further damage to the property. The term does not  
536 include any instrument by which a licensed public adjuster as  
537 defined in s. 626.854(1) receives any compensation, payment,  
538 commission, fee, or other thing of value for providing services  
539 under such licensure.

540 (9) (a) An assignee must provide the named insured, insurer,  
541 and the assignor, if not the named insured, with a written  
542 notice of intent to initiate litigation before filing suit under  
543 the policy. Such notice must be served at least 10 business days  
544 before filing suit, but not before the insurer has made a  
545 determination of coverage under s. 627.70131, by certified mail,  
546 return receipt requested, to the name and mailing address  
547 designated by the insurer in the policy forms or by electronic  
548 delivery to the e-mail address designated by the insurer in the  
549 policy forms ~~at least 10 business days before filing suit, but~~  
550 ~~may not be served before the insurer has made a determination of~~  
551 ~~coverage under s. 627.70131.~~ The notice must specify the damages

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552 in dispute, the amount claimed, and a presuit settlement demand.  
553 Concurrent with the notice, and as a precondition to filing  
554 suit, the assignee must provide the named insured, insurer, and  
555 the assignor, if not the named insured, a detailed written  
556 invoice or estimate of services, including itemized information  
557 on equipment, materials, and supplies; the number of labor  
558 hours; and, in the case of work performed, proof that the work  
559 has been performed in accordance with accepted industry  
560 standards.

561 Section 15. Section 627.7276, Florida Statutes, is amended  
562 to read:

563 627.7276 Notice of limited coverage.—

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

568

569 "THIS POLICY DOES NOT PROVIDE BODILY INJURY AND  
570 PROPERTY DAMAGE LIABILITY INSURANCE OR ANY OTHER  
571 COVERAGE FOR WHICH A SPECIFIC PREMIUM CHARGE IS NOT  
572 MADE, AND DOES NOT COMPLY WITH ANY FINANCIAL  
573 RESPONSIBILITY LAW."

574

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

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581 ~~impression.~~

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

584 634.317 License and appointment required; exemptions.—~~A No~~  
585 person may not solicit, negotiate, or effectuate home warranty  
586 contracts for remuneration in this state unless such person is  
587 licensed and appointed as a sales representative. A licensed and  
588 appointed sales representative is ~~shall be~~ directly responsible  
589 and accountable for all acts of the licensee's employees. A  
590 licensed personal lines or general lines agent is not required  
591 to be licensed as a sales representative under this section to  
592 solicit, negotiate, advertise, or sell home warranty contracts.

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

595 634.419 License and appointment required; exemptions.—~~A No~~  
596 person or an entity may not ~~shall~~ solicit, negotiate, advertise,  
597 or effectuate service warranty contracts in this state unless  
598 such person or entity is licensed and appointed as a sales  
599 representative. Sales representatives are ~~shall be~~ responsible  
600 for the actions of persons under their supervision. However, a  
601 service warranty association licensed as such under this part is  
602 ~~shall~~ not be required to be licensed and appointed as a sales  
603 representative to solicit, negotiate, advertise, or effectuate  
604 its products. A licensed personal lines or general lines agent  
605 is not required to be licensed as a sales representative under  
606 this section to solicit, negotiate, advertise, or sell service  
607 warranty contracts.

608 Section 18. Effective June 1, 2023, for the purpose of  
609 incorporating the amendment made by this act to section 215.555,

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610 Florida Statutes, in a reference thereto, subsection (10) of  
611 section 624.424, Florida Statutes, is reenacted to read:

612 624.424 Annual statement and other information.—

613 (10) Each insurer or insurer group doing business in this  
614 state shall file on a quarterly basis in conjunction with  
615 financial reports required by paragraph (1)(a) a supplemental  
616 report on an individual and group basis on a form prescribed by  
617 the commission with information on personal lines and commercial  
618 lines residential property insurance policies in this state. The  
619 supplemental report shall include separate information for  
620 personal lines property policies and for commercial lines  
621 property policies and totals for each item specified, including  
622 premiums written for each of the property lines of business as  
623 described in ss. 215.555(2)(c) and 627.351(6)(a). The report  
624 shall include the following information for each county on a  
625 monthly basis:

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

628 (b) Total number of policies canceled.

629 (c) Total number of policies nonrenewed.

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

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

632 (f) Number of new policies written.

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

635 (h) Number of policies that exclude wind coverage.

636 Section 19. Effective June 1, 2023, for the purpose of  
637 incorporating the amendment made by this act to section 215.555,  
638 Florida Statutes, in a reference thereto, paragraph (v) of

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639 subsection (6) of section 627.351, Florida Statutes, is  
640 reenacted to read:

641 627.351 Insurance risk apportionment plans.—

642 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

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

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

661 3. The Florida Windstorm Underwriting Association and the  
662 Residential Property and Casualty Joint Underwriting Association  
663 shall take all actions necessary to further evidence the  
664 transfers and provide the documents and instruments of further  
665 assurance as may reasonably be requested by the corporation for  
666 that purpose. The corporation shall execute assumptions and  
667 instruments as the trustees or other parties to the financing

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668 documents of the Florida Windstorm Underwriting Association or  
669 the Residential Property and Casualty Joint Underwriting  
670 Association may reasonably request to further evidence the  
671 transfers and assumptions, which transfers and assumptions,  
672 however, are effective on the date provided under this paragraph  
673 whether or not, and regardless of the date on which, the  
674 assumptions or instruments are executed by the corporation.  
675 Subject to the relevant financing documents pertaining to their  
676 outstanding bonds, notes, indebtedness, or other financing  
677 obligations, the moneys, investments, receivables, choses in  
678 action, and other intangibles of the Florida Windstorm  
679 Underwriting Association shall be credited to the coastal  
680 account of the corporation, and those of the personal lines  
681 residential coverage account and the commercial lines  
682 residential coverage account of the Residential Property and  
683 Casualty Joint Underwriting Association shall be credited to the  
684 personal lines account and the commercial lines account,  
685 respectively, of the corporation.

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

691 5. The transfer of all policies, obligations, rights,  
692 assets, and liabilities from the Florida Windstorm Underwriting  
693 Association to the corporation and the renaming of the  
694 Residential Property and Casualty Joint Underwriting Association  
695 as the corporation does not affect the coverage with respect to  
696 covered policies as defined in s. 215.555(2)(c) provided to

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697 these entities by the Florida Hurricane Catastrophe Fund. The  
698 coverage provided by the fund to the Florida Windstorm  
699 Underwriting Association based on its exposures as of June 30,  
700 2002, and each June 30 thereafter shall be redesignated as  
701 coverage for the coastal account of the corporation.  
702 Notwithstanding any other provision of law, the coverage  
703 provided by the fund to the Residential Property and Casualty  
704 Joint Underwriting Association based on its exposures as of June  
705 30, 2002, and each June 30 thereafter shall be transferred to  
706 the personal lines account and the commercial lines account of  
707 the corporation. Notwithstanding any other provision of law, the  
708 coastal account shall be treated, for all Florida Hurricane  
709 Catastrophe Fund purposes, as if it were a separate  
710 participating insurer with its own exposures, reimbursement  
711 premium, and loss reimbursement. Likewise, the personal lines  
712 and commercial lines accounts shall be viewed together, for all  
713 fund purposes, as if the two accounts were one and represent a  
714 single, separate participating insurer with its own exposures,  
715 reimbursement premium, and loss reimbursement. The coverage  
716 provided by the fund to the corporation shall constitute and  
717 operate as a full transfer of coverage from the Florida  
718 Windstorm Underwriting Association and Residential Property and  
719 Casualty Joint Underwriting Association to the corporation.

720 Section 20. For the purpose of incorporating the amendment  
721 made by this act to section 626.221, Florida Statutes, in a  
722 reference thereto, paragraph (b) of subsection (1) of section  
723 626.8734, Florida Statutes, is reenacted to read:

724 626.8734 Nonresident all-lines adjuster license  
725 qualifications.—

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726 (1) The department shall issue a license to an applicant  
727 for a nonresident all-lines adjuster license upon determining  
728 that the applicant has paid the applicable license fees required  
729 under s. 624.501 and:

730 (b) Has passed to the satisfaction of the department a  
731 written Florida all-lines adjuster examination of the scope  
732 prescribed in s. 626.241(6); however, the requirement for the  
733 examination does not apply to:

734 1. An applicant who is licensed as an all-lines adjuster in  
735 his or her home state if that state has entered into a  
736 reciprocal agreement with the department;

737 2. An applicant who is licensed as a nonresident all-lines  
738 adjuster in a state other than his or her home state and a  
739 reciprocal agreement with the appropriate official of the state  
740 of licensure has been entered into with the department; or

741 3. An applicant who holds a certification set forth in s.  
742 626.221(2)(j).

743 Section 21. For the purpose of incorporating the amendment  
744 made by this act to section 626.856, Florida Statutes, in a  
745 reference thereto, paragraph (e) of subsection (1) of section  
746 626.865, Florida Statutes, is reenacted to read:

747 626.865 Public adjuster's qualifications, bond.—

748 (1) The department shall issue a license to an applicant  
749 for a public adjuster's license upon determining that the  
750 applicant has paid the applicable fees specified in s. 624.501  
751 and possesses the following qualifications:

752 (e) Has been licensed in this state as an all-lines  
753 adjuster, and has been appointed on a continual basis for the  
754 previous 6 months as a public adjuster apprentice under s.

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755 626.8561, as an independent adjuster under s. 626.855, or as a  
756 company employee adjuster under s. 626.856.

757 Section 22. Effective upon this act becoming a law, for the  
758 purpose of incorporating the amendment made by this act to  
759 section 627.7152, Florida Statutes, in references thereto,  
760 subsection (1) and paragraph (d) of subsection (2) of section  
761 627.7153, Florida Statutes, are reenacted to read:

762 627.7153 Policies restricting assignment of post-loss  
763 benefits under a property insurance policy.—

764 (1) As used in this section, the term "assignment  
765 agreement" has the same meaning as provided in s. 627.7152.

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

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

771  
772 THIS POLICY DOES NOT ALLOW THE UNRESTRICTED ASSIGNMENT  
773 OF POST-LOSS INSURANCE BENEFITS. BY SELECTING THIS  
774 POLICY, YOU WAIVE YOUR RIGHT TO FREELY ASSIGN OR  
775 TRANSFER THE POST-LOSS PROPERTY INSURANCE BENEFITS  
776 AVAILABLE UNDER THIS POLICY TO A THIRD PARTY OR TO  
777 OTHERWISE FREELY ENTER INTO AN ASSIGNMENT AGREEMENT AS  
778 THE TERM IS DEFINED IN SECTION 627.7152 OF THE FLORIDA  
779 STATUTES.

780 Section 23. Except as otherwise expressly provided in this  
781 act and except for this section, which shall take effect upon  
782 this act becoming a law, this act shall take effect July 1,  
783 2022.