Senator Farmer moved the following:

**Senate Amendment (with title amendment)**

Between lines 1488 and 1489

insert:

Section 22. Subsection (2) and paragraph (a) of subsection (3) of section 631.57, Florida Statutes, are amended to read:

631.57 Powers and duties of the association.—

(2) The association may:

(a) Employ or retain such persons as are necessary to handle claims and perform other duties of the association;

(b) Borrow funds necessary to effect the purposes of this
part in accord with the plan of operation. If it elects to borrow funds, the association must compare the terms of any loan agreement offered by an entity other than the state with the terms of a loan agreement that would be offered by a state entity, including, but not limited to, the Florida Hurricane Catastrophe Fund, the Citizens Property Insurance Corporation, or the Florida Retirement System Trust Fund. The association may not enter into a loan agreement with an entity other than the state if the terms for such a loan agreement would be less favorable than those offered by a state entity;

(c) Sue or be sued, provided that service of process shall be made upon the person registered with the department as agent for the receipt of service of process; and

(d) Negotiate and become a party to such contracts as are necessary to carry out the purpose of this part. Additionally, the association may enter into such contracts with a municipality, a county, or a legal entity created pursuant to s. 163.01(7)(g) as are necessary in order for the municipality, county, or legal entity to issue bonds under s. 631.695. In connection with the issuance of any such bonds and the entering into of any such necessary contracts, the association may agree to such terms and conditions as the association deems necessary and proper.

(3)(a) To the extent necessary to secure funds for the respective accounts for the payment of covered claims, to pay the reasonable costs to administer such accounts, and to secure funds for the account specified in s. 631.55(2)(b) or to retire indebtedness, including, without limitation, the principal, redemption premium, if any, and interest on, and related costs
of issuance of, bonds issued under s. 631.695 and the funding of reserves and other payments required under the bond resolution or trust indenture pursuant to which such bonds have been issued, the office, upon certification of the board of directors, shall levy assessments in accordance with subparagraph (f)1. or subparagraph (f)2. The office may not levy any new assessment during the 12-month period beginning on the effective date of this act. Any funds required for the purposes of this paragraph during such period must be borrowed by the association pursuant to paragraph (2)(b). Assessments shall be remitted to and administered by the board of directors in the manner specified by the approved plan and paragraph (f). Every assessment shall be a uniform percentage. The assessments levied against any insurer may not exceed in any one calendar year more than 2 percent of that insurer’s direct written premiums in this state for the kinds of insurance included within such account.

Section 23. The Division of Law Revision is directed to replace the phrase “the effective date of this act” wherever it occurs in this act with the date this act becomes a law.

Title Amendment

And the title is amended as follows:

Delete line 156

and insert:

proceedings; amending s. 631.57, F.S.; requiring the Florida Insurance Guaranty Association to compare terms of certain loan agreements; prohibiting the association from entering into loan agreements with entities other than the state under certain
circumstances; prohibiting the office from levying
certain assessments during a specified period;
requiring that certain funds be borrowed by the
association pursuant to certain requirements;
providing a directive to the Division of Law Revision;
providing for construction of the act in