Amendment No.

Representative Hinson offered the following:

Amendment (with title amendment)

Between lines 1531 and 1532, insert:

Section 22. Subsection (5) of section 627.7011, Florida Statutes, is renumbered as subsection (6), and a new subsection (5) is added to that section to read:

627.7011 Homeowners' policies; offer of replacement cost coverage and law and ordinance coverage.—

(5)(a) As used in this subsection, the term:

1. "Authorized inspector" means an inspector who is approved by the insurer and who is:

   a. A home inspector licensed under s. 468.8314;

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b. A building code inspector certified under s. 468.607;
c. A general, building, or residential contractor licensed under s. 489.111;
d. A professional engineer licensed under s. 471.015;
e. A professional architect licensed under s. 481.213; or
f. Any other individual or entity recognized by the insurer as possessing the necessary qualifications to properly complete a four-point inspection.

2. "Four-point inspection" means an inspection of the current condition of the four following main areas of a dwelling:
   a. Heating, ventilation, and air conditioning.
   b. Electrical wiring and panels.
   c. Plumbing connections and fixtures.
   d. Roof.

(b) Before requiring, as a condition of issuance or renewal of a homeowner's insurance policy, replacement of any part of a dwelling, including, but not limited to, replacement of the roof, a window, plumbing, or a hot water heater, the insurer must allow the homeowner to have a biannual four-point inspection of the dwelling performed by an authorized inspector at the homeowner's expense.

(c) The insurer may not refuse to issue or renew a homeowner's insurance policy unless the dwelling fails to pass a four-point inspection performed by an authorized inspector.
(d) The insurer may not refuse to issue or renew a homeowner's insurance policy for a dwelling with a roof older than 15 years unless the dwelling fails to pass a general inspection performed by an authorized inspector.

(e) This subsection applies to homeowners' insurance policies issued or renewed on or after July 1, 2022.

Section 23. Section 627.7142, Florida Statutes, is amended to read:

627.7142 Homeowner Claims Bill of Rights.—An insurer issuing a personal lines residential property insurance policy in this state must provide a Homeowner Claims Bill of Rights to a policyholder within 14 days after receiving an initial communication with respect to a claim. The purpose of the bill of rights is to summarize, in simple, nontechnical terms, existing Florida law regarding the rights of a personal lines residential property insurance policyholder who files a claim of loss. The Homeowner Claims Bill of Rights is specific to the claims process and does not represent all of a policyholder's rights under Florida law regarding the insurance policy. The Homeowner Claims Bill of Rights does not create a civil cause of action by any individual policyholder or class of policyholders against an insurer or insurers. The failure of an insurer to properly deliver the Homeowner Claims Bill of Rights is subject to administrative enforcement by the office but is not admissible as evidence in a civil action against an insurer. The
Homeowner Claims Bill of Rights does not enlarge, modify, or contravene statutory requirements, including, but not limited to, ss. 626.854, 626.9541, 627.70131, 627.7015, and 627.7074, and does not prohibit an insurer from exercising its right to repair damaged property in compliance with the terms of an applicable policy or ss. 627.7011(6)(e) ss. 627.7011(5)(e) and 627.702(7). The Homeowner Claims Bill of Rights must state:

**HOMEOWNER CLAIMS BILL OF RIGHTS**

This Bill of Rights is specific to the claims process and does not represent all of your rights under Florida law regarding your policy. There are also exceptions to the stated timelines when conditions are beyond your insurance company's control. This document does not create a civil cause of action by an individual policyholder, or a class of policyholders, against an insurer or insurers and does not prohibit an insurer from exercising its right to repair damaged property in compliance with the terms of an applicable policy.

YOU HAVE THE RIGHT TO:

1. Receive from your insurance company an acknowledgment of your reported claim within 14 days after the time you communicated the claim.
2. Upon written request, receive from your insurance company within 30 days after you have submitted a complete proof-of-loss statement to your insurance company,
confirmation that your claim is covered in full, partially covered, or denied, or receive a written statement that your claim is being investigated.

3. Within 90 days, subject to any dual interest noted in the policy, receive full settlement payment for your claim or payment of the undisputed portion of your claim, or your insurance company's denial of your claim.

4. Receive payment of interest, as provided in s. 627.70131, Florida Statutes, from your insurance company, which begins accruing from the date your claim is filed if your insurance company does not pay full settlement of your initial, reopened, or supplemental claim or the undisputed portion of your claim or does not deny your claim within 90 days after your claim is filed. The interest, if applicable, must be paid when your claim or the undisputed portion of your claim is paid.

5. Free mediation of your disputed claim by the Florida Department of Financial Services, Division of Consumer Services, under most circumstances and subject to certain restrictions.

6. Neutral evaluation of your disputed claim, if your claim is for damage caused by a sinkhole and is covered by your policy.

7. Contact the Florida Department of Financial Services, Division of Consumer Services' toll-free helpline for
assistance with any insurance claim or questions pertaining to the handling of your claim. You can reach the Helpline by phone at ...(toll-free phone number)..., or you can seek assistance online at the Florida Department of Financial Services, Division of Consumer Services' website at ...(website address)....

YOU ARE ADVISED TO:

1. File all claims directly with your insurance company.
2. Contact your insurance company before entering into any contract for repairs to confirm any managed repair policy provisions or optional preferred vendors.
3. Make and document emergency repairs that are necessary to prevent further damage. Keep the damaged property, if feasible, keep all receipts, and take photographs or video of damage before and after any repairs to provide to your insurer.
4. Carefully read any contract that requires you to pay out-of-pocket expenses or a fee that is based on a percentage of the insurance proceeds that you will receive for repairing or replacing your property.
5. Confirm that the contractor you choose is licensed to do business in Florida. You can verify a contractor's license and check to see if there are any complaints against him or her by calling the Florida Department of
Business and Professional Regulation. You should also ask the contractor for references from previous work.

6. Require all contractors to provide proof of insurance before beginning repairs.

7. Take precautions if the damage requires you to leave your home, including securing your property and turning off your gas, water, and electricity, and contacting your insurance company and provide a phone number where you can be reached.

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**TITLE AMENDMENT**

Remove lines 2-164 and insert:
An act relating to insurance; creating s. 215.5551, F.S.; creating the Reinsurance to Assist Policyholders program to be administered by the State Board of Administration; defining terms; requiring certain property insurers to obtain coverage under the program; requiring the board to provide reimbursement to property insurers under the program; requiring the board and property insurers to enter into contracts to provide certain insurance reimbursement; providing requirements for the contracts; providing construction; providing calculations for specified amounts of losses to determine reimbursement under the program; authorizing the board to inspect, examine,
and verify insurer records; providing insurer eligibility qualifications for the program; providing for disqualification; requiring certain insurers to notify the board under a specified circumstance; providing for deferral of coverage under the program; prohibiting premiums from being charged for participation in the program; providing that the program does not affect the claims-paying capacity of the Florida Hurricane Catastrophe Fund; requiring the program to pay reimbursements directly to the applicable state guaranty fund in the event of insolvency; specifying requirements for the Florida Hurricane Catastrophe Fund if an insurer or the Citizens Property Insurance Corporation accept assignments of unsound insurers; providing that certain violations are violations of the insurance code; authorizing the board to enforce certain requirements; authorizing the board to adopt nonemergency rules and emergency rules; providing legislative findings; specifying conditions and limitations for any emergency rules adopted; providing legislative intent; requiring the board to submit a written notice within a certain timeframe to the Executive Office of the Governor relating to the program funds, under certain circumstances; providing
a requirement for the notice and subsequent requests;
requiring the Executive Office of the Governor to
instruct the Chief Financial Officer to draw a warrant
for a transfer to the board for the program under
certain circumstances and to provide notification to
specified persons within a certain timeframe;
prohibiting cumulative transfers from exceeding a
specified amount; providing reporting requirements;
providing for expiration and transfer of unencumbered
funds; requiring certain property insurers to reduce
rates to reflect certain cost savings through rate
filings by a specified date; prohibiting such insurers
from making other rate changes; requiring the Office
of Insurance Regulation to expedite the review of
certain filings; amending s. 215.5586, F.S.; revising
homeowner eligibility criteria for mitigation grants;
specifying matching requirements for grants; revising
reporting requirements; providing an appropriation;
requiring the Department of Financial Services to
submit budget amendments; specifying requirements for
budget amendments; providing for reversion and
appropriation of any unexpended balance; authorizing
the Department of Financial Services to adopt
emergency rules; providing legislative findings;
providing that such rules remain in effect until
replaced by rules adopted using nonemergency
rulemaking procedures; providing for expiration;
amending s. 489.147, F.S.; revising the definition of
the term "prohibited advertisement"; creating s.
624.1551, F.S.; requiring claimants to establish that
property insurers have breached the insurance contract
to prevail in certain claims for damages; amending s.
624.307, F.S.; requiring the office to publish certain
information on its website; amending s. 624.313, F.S.;
revising the information the office must include in a
certain annual report; amending s. 624.315, F.S.;
revising the information the office must include in
certain reports; amending s. 624.424, F.S.; requiring
the Office of Insurance Regulation to aggregate on a
statewide basis and make publicly available certain
data submitted by insurers and insurer groups;
specifying requirements for publishing such data;
providing that such information is not a trade secret
and is not subject to a certain public records
exemption; amending s. 626.9373, F.S.; revising
conditions for the award of reasonable attorney fees
to apply to all suits brought under residential or
commercial property insurance policies, rather than
those not brought by assignees; limiting the transfer,
assignment, or acquisition of rights to attorney fees
in certain property insurance suits; amending s. 627.428, F.S.; revising conditions for the award of reasonable attorney fees to apply to all suits brought under residential or commercial property insurance policies, rather than those not brought by assignees; limiting the transfer, assignment, or acquisition of rights to attorney fees in certain property insurance suits; amending s. 627.701, F.S.; revising a prohibition against the issuance of insurance policies containing certain deductible provisions; revising the conditions a personal lines residential property insurance policy covering certain risks must meet under certain circumstances; requiring personal lines residential property insurance policies containing separate roof deductibles to include specified information; authorizing property insurers to include separate roof deductibles if certain requirements are met; providing requirements for policyholders in rejecting such deductibles under certain circumstances; requiring the office to expedite the review of filing of certain forms; authorizing the commission to adopt certain model forms or guidelines; requiring the office to review certain filings within a specified timeframe; providing that roof deductible portions of the filing are not subject to a specified...
extension for review; amending s. 627.7011, F.S.;
authorizing property insurers to limit certain roof
claim payments under certain circumstances; defining
the term "authorized inspector"; prohibiting insurers
from refusing to issue or renew homeowners' policies
insuring certain structures; requiring insurers to
allow homeowners to have roof inspections performed
before requiring roof replacement; specifying the
manner of calculating the age of certain roofs;
providing applicability; amending s. 627.70131, F.S.;
requiring insurers to conduct physical inspections for
certain claims within a specified timeframe; requiring
property insurers to notify and provide certain
detailed estimates to policyholders; providing
construction; requiring property insurers to provide
reasonable explanations related to claims under
certain circumstances; amending s. 627.70152, F.S.;
making a technical change; authorizing property
insurers to be awarded attorney fees in certain suit
dismissals; providing that a strong presumption is
created that a lodestar fee is sufficient and
reasonable; providing that such presumption may be
rebutted only under certain circumstances; amending s.
627.7142, F.S.; conforming a cross-reference; amending
s. 627.7152, F.S.; revising the definition of the term
"assignment agreement"; deleting the definitions of
the terms "disputed amount" and "judgment obtained";
revising a requirement for assignment agreements;
revising the requirement for assignees to indemnify
and hold harmless assignors; specifying a timeframe
during which and the addresses to which a notice of
intent must be served; deleting certain limitations on
the recovery and award of attorney fees in suits
related to assignment agreements; creating s.
627.7154, F.S.; creating a property insurer stability
unit within the office for a specified purpose;
specifying the duties of the unit; requiring the unit
to provide a specified report biannually; specifying
requirements for such report; specifying events that
trigger referrals to the unit; requiring the unit's
supervisors to review such referrals for a certain
determination; requiring unit expenses be paid from a
specified fund; requiring costs of examinations to be
paid by examined persons in a specified circumstance;
amending s. 631.031, F.S.; requiring certain
notifications by the office to the department of
grounds for delinquency proceedings to include an
affidavit; specifying contents of such affidavit;
amending s. 631.398, F.S.; specifying duties of the
department for insurer insolvency proceedings;
amending s. 627.7011, F.S.; providing definitions; providing a requirement for property insurers before the insurers may require certain property replacements as a condition of issuance or renewal of homeowners' insurance policies; prohibiting property insurers from refusing to issue or renew policies unless specified conditions are met; providing applicability; amending s. 627.7142, F.S.; conforming a cross-reference;