



26 standards; authorizing insurers to require  
27 policyholders to provide evidence of compliance with  
28 mitigation standards under certain conditions;  
29 amending s. 627.072, F.S.; providing a ratemaking  
30 factor for workers' compensation and employer's  
31 liability insurance; amending s. 627.351, F.S.;  
32 revising conditions for determining the ineligibility  
33 of condominiums for wind-only coverage; amending s.  
34 627.444, F.S.; revising the definition of the term  
35 "loss run statement"; specifying the entities that  
36 must receive requests for loss run statements;  
37 specifying that insurers must provide loss run  
38 statements under certain circumstances; revising the  
39 required claims history in loss run statements;  
40 providing applicability; limiting loss run statement  
41 requests with respect to group health insurance  
42 policies to group policyholders; repealing s.  
43 627.6647, F.S., relating to the release of information  
44 required for bid to group health insurance  
45 policyholders; amending s. 627.7011, F.S.; revising  
46 conditions for inclusion of costs for law and  
47 ordinance coverage in loss adjustments under certain  
48 homeowners' policies; revising the timeframes of  
49 repairs of dwellings and replacement of personal  
50 property for which the insurer must pay when property

51 is insured on the basis of replacement costs; amending  
52 s. 627.715, F.S.; providing an exemption from a  
53 diligent effort requirement for agents exporting  
54 contracts or endorsements providing flood coverage;  
55 amending s. 627.7152, F.S.; revising the definition of  
56 the term "assignment agreement"; specifying the  
57 addresses to which a notice of intent must be served;  
58 amending ss. 634.171, 634.317, and 634.419, F.S.;

59 authorizing licensed personal lines or general lines  
60 agents to solicit, negotiate, advertise, or sell motor  
61 vehicle service agreements, home warranty contracts,  
62 and service warranties, respectively, without a sales  
63 representative license; reenacting s. 627.7153(1) and  
64 (2) (d), F.S., relating to policies restricting  
65 assignment of post-loss benefits under a property  
66 insurance policy, to incorporate the amendment made by  
67 the act to s. 627.7152, F.S., in references thereto;  
68 providing effective dates.

69  
70 Be It Enacted by the Legislature of the State of Florida:

71  
72 Section 1. Effective June 1, 2021, paragraph (c) of  
73 subsection (2) of section 215.555, Florida Statutes, is amended  
74 to read:

75 215.555 Florida Hurricane Catastrophe Fund.—

76 (2) DEFINITIONS.—As used in this section:  
 77 (c) "Covered policy" means any insurance policy covering  
 78 residential property in this state, including, but not limited  
 79 to, any homeowner, mobile home owner, farm owner, condominium  
 80 association, condominium unit owner, tenant, or apartment  
 81 building policy, or any other policy covering a residential  
 82 structure or its contents issued by any authorized insurer,  
 83 including a commercial self-insurance fund holding a certificate  
 84 of authority issued by the Office of Insurance Regulation under  
 85 s. 624.462, the Citizens Property Insurance Corporation, and any  
 86 joint underwriting association or similar entity created under  
 87 law. The term "covered policy" includes any collateral  
 88 protection insurance policy covering personal residences which  
 89 protects both the borrower's and the lender's financial  
 90 interests, in an amount at least equal to the coverage amount  
 91 for the dwelling in place under the lapsed homeowner's policy,  
 92 the coverage amount that the homeowner has been notified of, or  
 93 the coverage amount the homeowner requests from the collateral  
 94 protection insurer, if such collateral protection insurance  
 95 policy can be accurately reported as required in subsection (5).  
 96 Additionally, covered policies include policies covering the  
 97 peril of wind removed from the Florida Residential Property and  
 98 Casualty Joint Underwriting Association or from the Citizens  
 99 Property Insurance Corporation, created under s. 627.351(6), or  
 100 from the Florida Windstorm Underwriting Association, created

101 | under s. 627.351(2), by an authorized insurer under the terms  
102 | and conditions of an executed assumption agreement between the  
103 | authorized insurer and such association or Citizens Property  
104 | Insurance Corporation. Each assumption agreement between the  
105 | association and such authorized insurer or Citizens Property  
106 | Insurance Corporation must be approved by the Office of  
107 | Insurance Regulation before the effective date of the  
108 | assumption, and the Office of Insurance Regulation must provide  
109 | written notification to the board within 15 working days after  
110 | such approval. "Covered policy" does not include any policy that  
111 | excludes wind coverage or hurricane coverage or any reinsurance  
112 | agreement and does not include any policy otherwise meeting this  
113 | definition which is issued by a surplus lines insurer or a  
114 | reinsurer. All commercial residential excess policies and all  
115 | deductible buy-back policies that, based on sound actuarial  
116 | principles, require individual ratemaking shall be excluded by  
117 | rule if the actuarial soundness of the fund is not jeopardized.  
118 | For this purpose, the term "excess policy" means a policy that  
119 | provides insurance protection for large commercial property  
120 | risks and that provides a layer of coverage above a primary  
121 | layer insured by another insurer.

122 |       Section 2. Effective upon this act becoming a law,  
123 | subsection (3) of section 624.423, Florida Statutes, is amended  
124 | to read:

125 |       624.423 Serving process.—

126           (3) Service of process is valid and binding upon the  
 127 insurer on the date process served upon the Chief Financial  
 128 Officer is delivered to the insurer ~~and sent~~ or the insurer has  
 129 been notified such information has been made available on a  
 130 secured network in accordance with this section and s.  
 131 624.307(9) ~~shall for all purposes constitute valid and binding~~  
 132 ~~service thereof upon the insurer.~~

133           Section 3. Section 626.856, Florida Statutes, is amended  
 134 to read:

135           626.856 "Company employee adjuster" defined.—A "company  
 136 employee adjuster" means a person licensed as an all-lines  
 137 adjuster who is appointed and employed on an insurer's staff of  
 138 adjusters, by an affiliate, or by a wholly owned subsidiary of  
 139 the insurer, and who undertakes on behalf of such insurer or  
 140 other insurers under common control or ownership to ascertain  
 141 and determine the amount of any claim, loss, or damage payable  
 142 under a contract of insurance, or undertakes to effect  
 143 settlement of such claim, loss, or damage.

144           Section 4. Effective upon this act becoming a law,  
 145 subsections (1), (2), and (4) of section 626.9202, Florida  
 146 Statutes, are amended, and subsections (7) and (8) are added to  
 147 that section, to read:

148           626.9202 Loss run statements for all lines of insurance.—

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

150           (a) "Loss run statement" means a report that contains the

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151 policy number, the period of coverage, the number of claims, the  
152 paid losses on each claim ~~all claims~~, and the date of each loss.  
153 The term does not include supporting claim file documentation,  
154 including, but not limited to, copies of claim files,  
155 investigation reports, evaluation statements, insureds'  
156 statements, and documents protected by a common law or statutory  
157 privilege. As applied to group health insurance, the term means  
158 a report that also contains premiums paid, number of insureds on  
159 a monthly basis, and dependent status.

160 (b) "Provide" means to electronically send a document or  
161 to allow access through an electronic portal to view or generate  
162 a document.

163 (2) Notwithstanding any other law, an insurer shall  
164 provide to an insured within 15 calendar days after an  
165 individual or entity designated by the insurer receives ~~receipt~~  
166 ~~of~~ the insured's written request, either:

167 (a) A loss run statement; or

168 (b) For personal lines of insurance, information on how to  
169 obtain a loss run statement at no charge through a consumer  
170 reporting agency. However, this section does not prohibit an  
171 insured from requesting a loss run statement after receiving  
172 information from a consumer reporting agency, in which case the  
173 insurer must then provide such loss run statement within 15  
174 calendar days after the individual or entity designated by the  
175 insurer receives the insured's subsequent written request.

176 (4) A loss run statement provided pursuant to this section  
 177 must contain a claims history with the insurer for the preceding  
 178 3 5 years or, if the claims history is less than 3 5 years, a  
 179 complete claims history with the insurer.

180 (7) This section does not apply to a life insurer as  
 181 defined in s. 624.602.

182 (8) For group health insurance, only the group  
 183 policyholder may request and be provided a loss run statement  
 184 pursuant to this section.

185 Section 5. Paragraph (j) of subsection (2) of section  
 186 627.062, Florida Statutes, is amended to read:

187 627.062 Rate standards.—

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

189 (j) With respect to residential property insurance rate  
 190 filings, the rate filing:

191 1. Must account for mitigation measures undertaken by  
 192 policyholders to reduce hurricane losses.

193 2. May use a modeling indication that is the weighted or  
 194 straight average of two or more models found by the commission  
 195 to be accurate or reliable pursuant to s. 627.0628.

196  
 197 The provisions of this subsection do not apply to workers'  
 198 compensation, employer's liability insurance, and motor vehicle  
 199 insurance.

200 Section 6. Paragraph (b) of subsection (2) of section

201 627.0629, Florida Statutes, is amended, and subsection (9) is  
 202 added to that section, to read:

203 627.0629 Residential property insurance; rate filings.—  
 204 (2)

205 (b) A rate filing for residential property insurance made  
 206 more than 150 days after approval by the office of a building  
 207 code rating factor plan submitted by a statewide rating  
 208 organization may ~~shall~~ include positive and negative rate  
 209 factors that reflect the manner in which building code  
 210 enforcement in a particular jurisdiction addresses risk of wind  
 211 damage. The rate filing must ~~shall~~ include variations from  
 212 standard rate factors on an individual basis based on inspection  
 213 of a particular structure by a licensed home inspector. If an  
 214 inspection is requested by the insured, the insurer may require  
 215 the insured to pay the reasonable cost of the inspection. This  
 216 paragraph applies to structures constructed or renovated after  
 217 the implementation of this paragraph.

218 (9) An insurer may file with the office a personal lines  
 219 residential property insurance rating plan that provides  
 220 justified premium discounts, credits, or other rate  
 221 differentials based on windstorm mitigation construction  
 222 standards developed by an independent, not-for-profit,  
 223 scientific research organization. The insurer may require a  
 224 policyholder who elects to construct or retrofit the structure,  
 225 in whole or in part, for windstorm mitigation purposes to

226 | present to the insurer evidence of compliance with the  
 227 | mitigation standards before receiving any premium discount,  
 228 | credit, or rate reduction allowed under the rating plan.

229 | Section 7. Subsection (1) of section 627.072, Florida  
 230 | Statutes, is amended to read:

231 | 627.072 Making and use of rates.—

232 | (1) As to workers' compensation and employer's liability  
 233 | insurance, the following factors shall be used in the  
 234 | determination and fixing of rates:

235 | (a) The past loss experience and prospective loss  
 236 | experience within and outside this state;

237 | (b) The impact resulting from the past loss experience and  
 238 | prospective loss experience for insurers whose data are missing  
 239 | from statewide experience due to insolvency. Prior reported data  
 240 | for such insurers and all other relevant information may be used  
 241 | to assess the impact on rates;

242 | (c)~~(b)~~ The conflagration and catastrophe hazards;

243 | (d)~~(e)~~ A reasonable margin for underwriting profit and  
 244 | contingencies;

245 | (e)~~(d)~~ Dividends, savings, or unabsorbed premium deposits  
 246 | allowed or returned by insurers to their policyholders, members,  
 247 | or subscribers;

248 | (f)~~(e)~~ Investment income on unearned premium reserves and  
 249 | loss reserves;

250 | (g)~~(f)~~ Past expenses and prospective expenses, both those

251 | countrywide and those specifically applicable to this state; and  
 252 |       (h)~~(g)~~ All other relevant factors, including judgment  
 253 | factors, within and outside this state.

254 |       Section 8. Paragraph (a) of subsection (6) of section  
 255 | 627.351, Florida Statutes, is amended to read:

256 |       627.351 Insurance risk apportionment plans.—

257 |       (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

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

261 |       1. The Legislature finds that private insurers are  
 262 | unwilling or unable to provide affordable property insurance  
 263 | coverage in this state to the extent sought and needed. The  
 264 | absence of affordable property insurance threatens the public  
 265 | health, safety, and welfare and likewise threatens the economic  
 266 | health of the state. The state therefore has a compelling public  
 267 | interest and a public purpose to assist in assuring that  
 268 | property in the state is insured and that it is insured at  
 269 | affordable rates so as to facilitate the remediation,  
 270 | reconstruction, and replacement of damaged or destroyed property  
 271 | in order to reduce or avoid the negative effects otherwise  
 272 | resulting to the public health, safety, and welfare, to the  
 273 | economy of the state, and to the revenues of the state and local  
 274 | governments which are needed to provide for the public welfare.  
 275 | It is necessary, therefore, to provide affordable property

276 insurance to applicants who are in good faith entitled to  
277 procure insurance through the voluntary market but are unable to  
278 do so. The Legislature intends, therefore, that affordable  
279 property insurance be provided and that it continue to be  
280 provided, as long as necessary, through Citizens Property  
281 Insurance Corporation, a government entity that is an integral  
282 part of the state, and that is not a private insurance company.  
283 To that end, the corporation shall strive to increase the  
284 availability of affordable property insurance in this state,  
285 while achieving efficiencies and economies, and while providing  
286 service to policyholders, applicants, and agents which is no  
287 less than the quality generally provided in the voluntary  
288 market, for the achievement of the foregoing public purposes.  
289 Because it is essential for this government entity to have the  
290 maximum financial resources to pay claims following a  
291 catastrophic hurricane, it is the intent of the Legislature that  
292 the corporation continue to be an integral part of the state and  
293 that the income of the corporation be exempt from federal income  
294 taxation and that interest on the debt obligations issued by the  
295 corporation be exempt from federal income taxation.

296 2. The Residential Property and Casualty Joint  
297 Underwriting Association originally created by this statute  
298 shall be known as the Citizens Property Insurance Corporation.  
299 The corporation shall provide insurance for residential and  
300 commercial property, for applicants who are entitled, but, in

301 good faith, are unable to procure insurance through the  
302 voluntary market. The corporation shall operate pursuant to a  
303 plan of operation approved by order of the Financial Services  
304 Commission. The plan is subject to continuous review by the  
305 commission. The commission may, by order, withdraw approval of  
306 all or part of a plan if the commission determines that  
307 conditions have changed since approval was granted and that the  
308 purposes of the plan require changes in the plan. For the  
309 purposes of this subsection, residential coverage includes both  
310 personal lines residential coverage, which consists of the type  
311 of coverage provided by homeowner, mobile home owner, dwelling,  
312 tenant, condominium unit owner, and similar policies; and  
313 commercial lines residential coverage, which consists of the  
314 type of coverage provided by condominium association, apartment  
315 building, and similar policies.

316 3. With respect to coverage for personal lines residential  
317 structures:

318 a. Effective January 1, 2014, a structure that has a  
319 dwelling replacement cost of \$1 million or more, or a single  
320 condominium unit that has a combined dwelling and contents  
321 replacement cost of \$1 million or more, is not eligible for  
322 coverage by the corporation. Such dwellings insured by the  
323 corporation on December 31, 2013, may continue to be covered by  
324 the corporation until the end of the policy term. The office  
325 shall approve the method used by the corporation for valuing the

326 dwelling replacement cost for the purposes of this subparagraph.  
327 If a policyholder is insured by the corporation before being  
328 determined to be ineligible pursuant to this subparagraph and  
329 such policyholder files a lawsuit challenging the determination,  
330 the policyholder may remain insured by the corporation until the  
331 conclusion of the litigation.

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

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

346 d. Effective January 1, 2017, a structure that has a  
347 dwelling replacement cost of \$700,000 or more, or a single  
348 condominium unit that has a combined dwelling and contents  
349 replacement cost of \$700,000 or more, is not eligible for  
350 coverage by the corporation. Such dwellings insured by the

351 corporation on December 31, 2016, may continue to be covered by  
352 the corporation until the end of the policy term.

353

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

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

370 5.a. Effective January 1, 2009, a personal lines  
371 residential structure that is located in the "wind-borne debris  
372 region," as defined in s. 1609.2, International Building Code  
373 (2006), and that has an insured value on the structure of  
374 \$750,000 or more is not eligible for coverage by the corporation  
375 unless the structure has opening protections as required under

376 the Florida Building Code for a newly constructed residential  
377 structure in that area. A residential structure is deemed to  
378 comply with this sub-subparagraph if it has shutters or opening  
379 protections on all openings and if such opening protections  
380 complied with the Florida Building Code at the time they were  
381 installed.

382 b. Any major structure, as defined in s. 161.54(6)(a),  
383 that is newly constructed, or rebuilt, repaired, restored, or  
384 remodeled to increase the total square footage of finished area  
385 by more than 25 percent, pursuant to a permit applied for after  
386 July 1, 2015, is not eligible for coverage by the corporation if  
387 the structure is seaward of the coastal construction control  
388 line established pursuant to s. 161.053 or is within the Coastal  
389 Barrier Resources System as designated by 16 U.S.C. ss. 3501-  
390 3510.

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

397 Section 9. Effective upon this act becoming a law,  
398 subsections (1), (2), and (4) of section 627.444, Florida  
399 Statutes, are amended, and subsections (7) and (8) are added to  
400 that section, to read:

401 627.444 Loss run statements for all lines of insurance.—

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

403 (a) "Loss run statement" means a report that contains the  
 404 policy number, the period of coverage, the number of claims, the  
 405 paid losses on each claim ~~all claims~~, and the date of each loss.  
 406 The term does not include supporting claim file documentation,  
 407 including, but not limited to, copies of claim files,  
 408 investigation reports, evaluation statements, insureds'  
 409 statements, and documents protected by a common law or statutory  
 410 privilege. As applied to group health insurance, the term means  
 411 a report that also contains premiums paid, number of insureds on  
 412 a monthly basis, and dependent status.

413 (b) "Provide" means to electronically send a document or  
 414 to allow access through an electronic portal to view or generate  
 415 a document.

416 (2) Notwithstanding any other law, an insurer shall  
 417 provide to an insured within 15 calendar days after an  
 418 individual or entity designated by the insurer receives receipt  
 419 ~~of~~ the insured's written request, either:

420 (a) A loss run statement; or

421 (b) For personal lines of insurance, information on how to  
 422 obtain a loss run statement at no charge through a consumer  
 423 reporting agency. However, this section does not prohibit an  
 424 insured from requesting a loss run statement after receiving  
 425 information from a consumer reporting agency, in which case the

426 insurer must then provide such loss run statement within 15  
427 calendar days after the individual or entity designated by the  
428 insurer receives the insured's subsequent written request.

429 (4) A loss run statement provided pursuant to this section  
430 must contain a claims history with the insurer for the preceding  
431 3 5 years or, if the claims history is less than 3 5 years, a  
432 complete claims history with the insurer.

433 (7) This section does not apply to a life insurer as  
434 defined in s. 624.602.

435 (8) For group health insurance, only the group  
436 policyholder may request and be provided a loss run statement  
437 pursuant to this section.

438 Section 10. Section 627.6647, Florida Statutes, is  
439 repealed.

440 Section 11. Paragraph (b) of subsection (1) and subsection  
441 (3) of section 627.7011, Florida Statutes, are amended to read:

442 627.7011 Homeowners' policies; offer of replacement cost  
443 coverage and law and ordinance coverage.—

444 (1) Prior to issuing a homeowner's insurance policy, the  
445 insurer must offer each of the following:

446 (b) A policy or endorsement providing that, subject to  
447 other policy provisions, any loss that is repaired or replaced  
448 at any location will be adjusted on the basis of replacement  
449 costs to the dwelling not exceeding policy limits, rather than  
450 actual cash value, and also including costs necessary to meet

451 applicable laws and ordinances enacted on or before the time of  
452 loss which regulate ~~regulating~~ the construction, use, or repair  
453 of any property or require ~~requiring~~ the tearing down of any  
454 property, including the costs of removing debris. However,  
455 additional costs necessary to meet applicable laws and  
456 ordinances may be limited to 25 percent or 50 percent of the  
457 dwelling limit, as selected by the policyholder, and such  
458 coverage applies only to repairs of the damaged portion of the  
459 structure unless the total damage to the structure exceeds 50  
460 percent of the replacement cost of the structure.

461

462 An insurer is not required to make the offers required by this  
463 subsection with respect to the issuance or renewal of a  
464 homeowner's policy that contains the provisions specified in  
465 paragraph (b) for law and ordinance coverage limited to 25  
466 percent of the dwelling limit, except that the insurer must  
467 offer the law and ordinance coverage limited to 50 percent of  
468 the dwelling limit. This subsection does not prohibit the offer  
469 of a guaranteed replacement cost policy.

470 (3) In the event of a loss for which a dwelling or  
471 personal property is insured on the basis of replacement costs:

472 (a) For a dwelling, the insurer must initially pay at  
473 least the actual cash value of the insured loss, less any  
474 applicable deductible. The insurer shall pay any remaining  
475 amounts necessary to perform such repairs as work is performed

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476 and expenses are incurred. The insured has not less than 2 years  
477 from the date of loss or 1 year from the notice of the claim,  
478 whichever occurs later, to request reimbursement from the  
479 insurer for work to be performed and expenses incurred. If a  
480 total loss of a dwelling occurs, the insurer shall pay the  
481 replacement cost coverage without reservation or holdback of any  
482 depreciation in value, pursuant to s. 627.702.

483 (b) For personal property:

484 1. The insurer must offer coverage under which the insurer  
485 is obligated to pay the replacement cost without reservation or  
486 holdback for any depreciation in value, whether or not the  
487 insured replaces the property.

488 2. The insurer may also offer coverage under which the  
489 insurer may limit the initial payment to the actual cash value  
490 of the personal property to be replaced, require the insured to  
491 provide receipts for the purchase of the property financed by  
492 the initial payment, use such receipts to make the next payment  
493 requested by the insured for the replacement of insured  
494 property, and continue this process until the insured remits all  
495 receipts up to the policy limits for replacement costs. The  
496 insured has not less than 2 years from the date of loss or 1  
497 year from the notice of the claim, whichever occurs later, to  
498 request reimbursement from the insurer for expenses incurred.  
499 The insurer must provide clear notice of this process before the  
500 policy is bound. A policyholder must be provided an actuarially

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501 reasonable premium credit or discount for this coverage. The  
502 insurer may not require the policyholder to advance payment for  
503 the replaced property.

504 Section 12. Effective upon this act becoming a law,  
505 present subsections (4) through (10) of section 627.715, Florida  
506 Statutes, are redesignated as subsections (5) through (11),  
507 respectively, and a new subsection (4) is added to that section,  
508 to read:

509 627.715 Flood insurance.—An authorized insurer may issue  
510 an insurance policy, contract, or endorsement providing personal  
511 lines residential coverage for the peril of flood or excess  
512 coverage for the peril of flood on any structure or the contents  
513 of personal property contained therein, subject to this section.  
514 This section does not apply to commercial lines residential or  
515 commercial lines nonresidential coverage for the peril of flood.  
516 An insurer may issue flood insurance policies, contracts,  
517 endorsements, or excess coverage on a standard, preferred,  
518 customized, flexible, or supplemental basis.

519 (4) An agent may export a contract or an endorsement  
520 providing flood coverage to an eligible surplus lines insurer  
521 without making a diligent effort to seek such coverage from  
522 three or more authorized insurers under s. 626.916(1)(a).

523 Section 13. 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, scopes of service, to

534 inspect, protect, repair, restore, or replace property or to

535 mitigate against further damage to the property.

536           (9) (a) An assignee must provide the named insured,

537 insurer, and the assignor, if not the named insured, with a

538 written notice of intent to initiate litigation before filing

539 suit under the policy. Such notice must be served by certified

540 mail, return receipt requested, to the name and mailing address

541 designated by the insurer in the policy forms, or by electronic

542 delivery at the e-mail address designated by the insurer in the

543 policy forms at least 10 business days before filing suit, but

544 may not be served before the insurer has made a determination of

545 coverage under s. 627.70131. The notice must specify the damages

546 in dispute, the amount claimed, and a presuit settlement demand.

547 Concurrent with the notice, and as a precondition to filing

548 suit, the assignee must provide the named insured, insurer, and

549 the assignor, if not the named insured, a detailed written

550 invoice or estimate of services, including itemized information

551 on equipment, materials, and supplies; the number of labor  
552 hours; and, in the case of work performed, proof that the work  
553 has been performed in accordance with accepted industry  
554 standards.

555 Section 14. Section 634.171, Florida Statutes, is amended  
556 to read:

557 634.171 Salesperson to be licensed and appointed;  
558 exemptions.—Salespersons for motor vehicle service agreement  
559 companies and insurers shall be licensed, appointed, renewed,  
560 continued, reinstated, or terminated as prescribed in chapter  
561 626 for insurance representatives in general. However, they  
562 shall be exempt from all other provisions of chapter 626  
563 including fingerprinting, photo identification, education, and  
564 examination provisions. License, appointment, and other fees  
565 shall be those prescribed in s. 624.501. A licensed and  
566 appointed salesperson shall be directly responsible and  
567 accountable for all acts of her or his employees and other  
568 representatives. Each service agreement company or insurer  
569 shall, on forms prescribed by the department, within 30 days  
570 after termination of the appointment, notify the department of  
571 such termination. An ~~No~~ employee or salesperson of a motor  
572 vehicle service agreement company or insurer may not directly or  
573 indirectly solicit or negotiate insurance contracts, or hold  
574 herself or himself out in any manner to be an insurance agent,  
575 unless so qualified, licensed, and appointed therefor under the

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576 Florida Insurance Code. A licensed personal lines or general  
577 lines agent is not required to be licensed as a salesperson  
578 under this section to solicit, negotiate, advertise, or sell  
579 motor vehicle service agreements. A motor vehicle service  
580 agreement company is not required to be licensed as a  
581 salesperson to solicit, sell, issue, or otherwise transact the  
582 motor vehicle service agreements issued by the motor vehicle  
583 service agreement company.

584 Section 15. Section 634.317, Florida Statutes, is amended  
585 to read:

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

595 Section 16. Section 634.419, Florida Statutes, is amended  
596 to read:

597 634.419 License and appointment required; exemptions. ~~A No~~  
598 person or entity may not ~~shall~~ solicit, negotiate, advertise, or  
599 effectuate service warranty contracts in this state unless such  
600 person or entity is licensed and appointed as a sales

601 representative. Sales representatives shall be responsible for  
 602 the actions of persons under their supervision. However, a  
 603 service warranty association licensed as such under this part is  
 604 ~~shall~~ not be required to be licensed and appointed as a sales  
 605 representative to solicit, negotiate, advertise, or effectuate  
 606 its products. A licensed personal lines or general lines agent  
 607 is not required to be licensed as a sales representative under  
 608 this section to solicit, negotiate, advertise, or sell service  
 609 warranties.

610 Section 17. Effective upon this act becoming a law, for  
 611 the purpose of incorporating the amendment made by this act to  
 612 section 627.7152, Florida Statutes, in references thereto,  
 613 subsection (1) and paragraph (d) of subsection (2) of section  
 614 627.7153, Florida Statutes, are reenacted to read:

615 627.7153 Policies restricting assignment of post-loss  
 616 benefits under a property insurance policy.—

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

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

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

624  
 625 THIS POLICY DOES NOT ALLOW THE UNRESTRICTED ASSIGNMENT

626 OF POST-LOSS INSURANCE BENEFITS. BY SELECTING THIS  
627 POLICY, YOU WAIVE YOUR RIGHT TO FREELY ASSIGN OR  
628 TRANSFER THE POST-LOSS PROPERTY INSURANCE BENEFITS  
629 AVAILABLE UNDER THIS POLICY TO A THIRD PARTY OR TO  
630 OTHERWISE FREELY ENTER INTO AN ASSIGNMENT AGREEMENT AS  
631 THE TERM IS DEFINED IN SECTION 627.7152 OF THE FLORIDA  
632 STATUTES.

633 Section 18. Except as otherwise expressly provided in this  
634 act, and except for this section, which shall take effect upon  
635 this act becoming a law, this act shall take effect July 1,  
636 2021.