

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

26 requirements for insurers who have automatic bank
27 withdrawal agreements with insureds to include notices
28 when withdrawal amounts increase above a specified
29 threshold; amending s. 627.351, F.S.; revising
30 conditions for determining the ineligibility of
31 condominiums for wind-only coverage; amending s.
32 627.421, F.S.; deleting a requirement for electronic
33 transmission of certain documents to include specified
34 notices; deleting a requirement that paper copies of
35 policies be provided upon request; amending ss.
36 627.701 and 627.712, F.S.; revising policyholder
37 acknowledgment statement requirements for property
38 insurance policies having certain hurricane
39 deductibles or windstorm or contents coverage
40 exclusions, respectively; amending s. 627.7152, F.S.;
41 revising the definition of the term "assignment
42 agreement"; specifying the addresses to which a notice
43 of intent must be served; amending s. 627.7276, F.S.;
44 revising notice requirements for motor vehicle
45 policies that do not provide coverage for bodily
46 injury and property damage liability; amending ss.
47 634.171, 634.317, and 634.419, F.S.; authorizing
48 licensed personal lines or general lines agents to
49 solicit, negotiate, advertise, or sell motor vehicle
50 service agreements, home warranty contracts, and

51 service warranty contracts, respectively, without a
52 sales representative license; making technical
53 changes; reenacting ss. 624.424(10) and 627.351(6)(v),
54 F.S., relating to annual statements and other
55 information and Citizens Property Insurance
56 Corporation, respectively, to incorporate the
57 amendment made to s. 215.555, F.S., in references
58 thereto; reenacting s. 626.865(1)(e), F.S., relating
59 to public adjuster's qualifications, to incorporate
60 the amendment made to s. 626.856, F.S., in a reference
61 thereto; reenacting s. 626.8734(1)(b), F.S., relating
62 to nonresident all-lines adjuster license
63 qualifications, to incorporate the amendment made to
64 s. 626.221, F.S., in a reference thereto; reenacting
65 s. 627.7153(1) and (2)(d), F.S., relating to policies
66 restricting assignment of post-loss benefits under a
67 property insurance policy, to incorporate the
68 amendment made to s. 627.7152, F.S., in references
69 thereto; providing effective dates.

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

72
73 Section 1. Effective June 1, 2023, paragraph (c) of
74 subsection (2) of section 215.555, Florida Statutes, is amended
75 to read:

76 | 215.555 Florida Hurricane Catastrophe Fund.—
 77 | (2) DEFINITIONS.—As used in this section:
 78 | (c) "Covered policy" means any insurance policy covering
 79 | residential property in this state, including, but not limited
 80 | to, any homeowner, mobile home owner, farm owner, condominium
 81 | association, condominium unit owner, tenant, or apartment
 82 | building policy, or any other policy covering a residential
 83 | structure or its contents issued by any authorized insurer,
 84 | including a commercial self-insurance fund holding a certificate
 85 | of authority issued by the Office of Insurance Regulation under
 86 | s. 624.462, the Citizens Property Insurance Corporation, and any
 87 | joint underwriting association or similar entity created under
 88 | law. The term ~~"covered policy"~~ includes any collateral
 89 | protection insurance policy covering personal residences which
 90 | protects both the borrower's and the lender's financial
 91 | interests, in an amount at least equal to the coverage amount
 92 | for the dwelling in place under the lapsed homeowner's policy,
 93 | the coverage amount that the homeowner has been notified of by
 94 | the collateral protection insurer, or the coverage amount the
 95 | homeowner requests from the collateral protection insurer, if
 96 | such collateral protection insurance policy can be accurately
 97 | reported as required in subsection (5). Additionally, covered
 98 | policies include policies covering the peril of wind removed
 99 | from the Florida Residential Property and Casualty Joint
 100 | Underwriting Association or from the Citizens Property Insurance

101 Corporation, created under s. 627.351(6), or from the Florida
102 Windstorm Underwriting Association, created under s. 627.351(2),
103 by an authorized insurer under the terms and conditions of an
104 executed assumption agreement between the authorized insurer and
105 such association or Citizens Property Insurance Corporation.
106 Each assumption agreement between the association and such
107 authorized insurer or Citizens Property Insurance Corporation
108 must be approved by the Office of Insurance Regulation before
109 the effective date of the assumption, and the Office of
110 Insurance Regulation must provide written notification to the
111 board within 15 working days after such approval. "Covered
112 policy" does not include any policy that excludes wind coverage
113 or hurricane coverage or any reinsurance agreement and does not
114 include any policy otherwise meeting this definition which is
115 issued by a surplus lines insurer or a reinsurer. All commercial
116 residential excess policies and all deductible buy-back policies
117 that, based on sound actuarial principles, require individual
118 ratemaking must ~~shall~~ be excluded by rule if the actuarial
119 soundness of the fund is not jeopardized. For this purpose, the
120 term "excess policy" means a policy that provides insurance
121 protection for large commercial property risks and that provides
122 a layer of coverage above a primary layer insured by another
123 insurer.

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

126 440.381 Application for coverage; reporting payroll;
 127 payroll audit procedures; penalties.—
 128 (3) The Financial Services Commission, in consultation
 129 with the department, shall establish by rule minimum
 130 requirements for audits of payroll and classifications ~~in order~~
 131 to ensure that the appropriate premium is charged for workers'
 132 compensation coverage. The rules must ~~shall~~ ensure that audits
 133 performed by both carriers and employers are adequate to provide
 134 that all sources of payments to employees, subcontractors, and
 135 independent contractors are ~~have been~~ reviewed and that the
 136 accuracy of classification of employees is ~~has been~~ verified.
 137 The rules must require ~~shall provide~~ that employers in all
 138 classes other than the construction class be audited at least
 139 ~~not less frequently than~~ biennially and may provide for more
 140 frequent audits of employers in specified classifications based
 141 on factors such as amount of premium, type of business, loss
 142 ratios, or other relevant factors. ~~In no event shall~~ Employers
 143 in the construction class, generating more than the amount of
 144 premium required to be experience rated must, be audited at
 145 least less than annually. The annual audits required for
 146 construction classes must ~~shall~~ consist of physical onsite
 147 audits of policies only if the estimated annual premium is
 148 \$10,000 or more. Payroll verification audit rules must include,
 149 but need not be limited to, the use of state and federal reports
 150 of employee income, payroll and other accounting records,

151 certificates of insurance maintained by subcontractors, and
152 duties of employees. At the completion of an audit, the employer
153 or officer of the corporation and the auditor must print and
154 sign their names on the audit document and attach proof of
155 identification to the audit document.

156 Section 3. Section 624.46227, Florida Statutes, is created
157 to read:

158 624.46227 Meeting requirements.—Any association, trust, or
159 pool authorized by state law and created for the purpose of
160 forming a risk management mechanism or providing self-insurance
161 for public entities in this state may use communications media
162 technology to establish a quorum and conduct public business.

163 Section 4. Paragraph (j) of subsection (2) of section
164 626.221, Florida Statutes, is amended, and subsection (1) of
165 that section is republished, to read:

166 626.221 Examination requirement; exemptions.—

167 (1) The department may not issue any license as agent or
168 adjuster to any individual who has not qualified for, taken, and
169 passed to the satisfaction of the department a written
170 examination of the scope prescribed in s. 626.241.

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

173 (j) An applicant for license as an all-lines adjuster who
174 has the designation of Accredited Claims Adjuster (ACA) from a
175 regionally accredited postsecondary institution in this state,

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

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

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

201 | under a contract of insurance, or undertakes to effect
 202 | settlement of such claim, loss, or damage.

203 | Section 6. Paragraph (j) of subsection (2) of section
 204 | 627.062, Florida Statutes, is amended to read:

205 | 627.062 Rate standards.—

206 | (2) As to all such classes of insurance:

207 | (j) With respect to residential property insurance rate
 208 | filings, the rate filing:

209 | 1. Must account for mitigation measures undertaken by
 210 | policyholders to reduce hurricane losses.

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

215 |
 216 | The provisions of this subsection do not apply to workers'
 217 | compensation, employer's liability insurance, and motor vehicle
 218 | insurance.

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

221 | 627.0629 Residential property insurance; rate filings.—

222 | (9) An insurer may file with the office a personal lines
 223 | residential property insurance rating plan that provides
 224 | justified premium discounts, credits, or other rate
 225 | differentials based on windstorm mitigation construction

226 | standards developed by an independent, not-for-profit scientific
 227 | research organization, if such standards meet the requirements
 228 | of this section.

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

231 | 627.0665 Automatic bank withdrawal agreements;
 232 | notification required.—Any insurer licensed to issue insurance
 233 | in this ~~the~~ state who has an automatic bank withdrawal agreement
 234 | with an insured party for the payment of insurance premiums for
 235 | any type of insurance shall give the named insured at least 15
 236 | days advance written notice of any increase in policy premiums
 237 | that results in the next automatic bank withdrawal being
 238 | increased by more than \$10. Such notice must be provided before
 239 | ~~prior to~~ any automatic bank withdrawal containing the ~~of an~~
 240 | increased premium amount.

241 | Section 9. Paragraph (a) of subsection (6) of section
 242 | 627.351, Florida Statutes, is amended to read:

243 | 627.351 Insurance risk apportionment plans.—

244 | (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

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

248 | 1. The Legislature finds that private insurers are
 249 | unwilling or unable to provide affordable property insurance
 250 | coverage in this state to the extent sought and needed. The

251 absence of affordable property insurance threatens the public
252 health, safety, and welfare and likewise threatens the economic
253 health of the state. The state therefore has a compelling public
254 interest and a public purpose to assist in assuring that
255 property in this ~~the~~ state is insured and that it is insured at
256 affordable rates so as to facilitate the remediation,
257 reconstruction, and replacement of damaged or destroyed property
258 in order to reduce or avoid the negative effects otherwise
259 resulting to the public health, safety, and welfare, to the
260 economy of the state, and to the revenues of the state and local
261 governments which are needed to provide for the public welfare.
262 It is necessary, therefore, to provide affordable property
263 insurance to applicants who are in good faith entitled to
264 procure insurance through the voluntary market but are unable to
265 do so. The Legislature intends, therefore, that affordable
266 property insurance be provided and that it continue to be
267 provided, as long as necessary, through Citizens Property
268 Insurance Corporation, a government entity that is an integral
269 part of the state, and that is not a private insurance company.
270 To that end, the corporation shall strive to increase the
271 availability of affordable property insurance in this state,
272 while achieving efficiencies and economies, and while providing
273 service to policyholders, applicants, and agents which is no
274 less than the quality generally provided in the voluntary
275 market, for the achievement of the foregoing public purposes.

276 | Because it is essential for this government entity to have the
277 | maximum financial resources to pay claims following a
278 | catastrophic hurricane, it is the intent of the Legislature that
279 | the corporation continue to be an integral part of the state and
280 | that the income of the corporation be exempt from federal income
281 | taxation and that interest on the debt obligations issued by the
282 | corporation be exempt from federal income taxation.

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

301 type of coverage provided by condominium association, apartment
302 building, and similar policies.

303 3. With respect to coverage for personal lines residential
304 structures:

305 a. Effective January 1, 2014, a structure that has a
306 dwelling replacement cost of \$1 million or more, or a single
307 condominium unit that has a combined dwelling and contents
308 replacement cost of \$1 million or more, is not eligible for
309 coverage by the corporation. Such dwellings insured by the
310 corporation on December 31, 2013, may continue to be covered by
311 the corporation until the end of the policy term. The office
312 shall approve the method used by the corporation for valuing the
313 dwelling replacement cost for the purposes of this subparagraph.
314 If a policyholder is insured by the corporation before being
315 determined to be ineligible pursuant to this subparagraph and
316 such policyholder files a lawsuit challenging the determination,
317 the policyholder may remain insured by the corporation until the
318 conclusion of the litigation.

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

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

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

340
341 The requirements of sub-subparagraphs b.-d. do not apply in
342 counties where the office determines there is not a reasonable
343 degree of competition. In such counties a personal lines
344 residential structure that has a dwelling replacement cost of
345 less than \$1 million, or a single condominium unit that has a
346 combined dwelling and contents replacement cost of less than \$1
347 million, is eligible for coverage by the corporation.

348 4. It is the intent of the Legislature that policyholders,
349 applicants, and agents of the corporation receive service and
350 treatment of the highest possible level but never less than that

351 generally provided in the voluntary market. It is also intended
352 that the corporation be held to service standards no less than
353 those applied to insurers in the voluntary market by the office
354 with respect to responsiveness, timeliness, customer courtesy,
355 and overall dealings with policyholders, applicants, or agents
356 of the corporation.

357 5.a. Effective January 1, 2009, a personal lines
358 residential structure that is located in the "wind-borne debris
359 region," as defined in s. 1609.2, International Building Code
360 (2006), and that has an insured value on the structure of
361 \$750,000 or more is not eligible for coverage by the corporation
362 unless the structure has opening protections as required under
363 the Florida Building Code for a newly constructed residential
364 structure in that area. A residential structure is deemed to
365 comply with this sub-subparagraph if it has shutters or opening
366 protections on all openings and if such opening protections
367 complied with the Florida Building Code at the time they were
368 installed.

369 b. Any major structure, as defined in s. 161.54(6)(a),
370 that is newly constructed, or rebuilt, repaired, restored, or
371 remodeled to increase the total square footage of finished area
372 by more than 25 percent, pursuant to a permit applied for after
373 July 1, 2015, is not eligible for coverage by the corporation if
374 the structure is seaward of the coastal construction control
375 line established pursuant to s. 161.053 or is within the Coastal

376 Barrier Resources System as designated by 16 U.S.C. ss. 3501-
377 3510.

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

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

386 627.421 Delivery of policy.—

387 (1) Subject to the insurer's requirement as to payment of
388 premium, every policy shall be mailed, delivered, or
389 electronically transmitted to the insured or to the person
390 entitled thereto not later than 60 days after the effectuation
391 of coverage. Notwithstanding any other provision of law, an
392 insurer may allow a policyholder of personal lines insurance to
393 affirmatively elect delivery of the policy documents, including,
394 but not limited to, policies, endorsements, notices, or
395 documents, by electronic means in lieu of delivery by mail.
396 Electronic transmission of a policy for commercial risks,
397 including, but not limited to, workers' compensation and
398 employers' liability, commercial automobile liability,
399 commercial automobile physical damage, commercial lines
400 residential property, commercial nonresidential property,

401 farmowners insurance, and the types of commercial lines risks
 402 set forth in s. 627.062(3)(d), constitutes delivery to the
 403 insured or to the person entitled to delivery, unless the
 404 insured or the person entitled to delivery communicates to the
 405 insurer in writing or electronically that he or she does not
 406 agree to delivery by electronic means. ~~Electronic transmission~~
 407 ~~shall include a notice to the insured or to the person entitled~~
 408 ~~to delivery of a policy of his or her right to receive the~~
 409 ~~policy via United States mail rather than via electronic~~
 410 ~~transmission. A paper copy of the policy shall be provided to~~
 411 ~~the insured or to the person entitled to delivery at his or her~~
 412 ~~request.~~

413 Section 11. Paragraph (d) of subsection (4) of section
 414 627.701, Florida Statutes, is amended to read:

415 627.701 Liability of insureds; coinsurance; deductibles.-

416 (4)

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

421 a. The policyholder must personally write or type and
 422 provide to the insurer the following statement ~~in his or her own~~
 423 ~~handwriting~~ and sign his or her name, which must also be signed
 424 by every other named insured on the policy, and dated: "I do not
 425 want the insurance on my home to pay for the first (specify

426 dollar value) of damage from hurricanes. I will pay those costs.
 427 My insurance will not."

428 b. If the structure insured by the policy is subject to a
 429 mortgage or lien, the policyholder must provide the insurer with
 430 a written statement from the mortgageholder or lienholder
 431 indicating that the mortgageholder or lienholder approves the
 432 policyholder electing to have the specified deductible.

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

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

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

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

450 627.712 Residential windstorm coverage required;

451 availability of exclusions for windstorm or contents.—

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

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

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

463 2. When the policyholder is other than a natural person,
464 the policyholder provides to the insurer on the policyholder's
465 letterhead the following statement that must be signed by the
466 policyholder's authorized representative and dated: "... (Name of
467 entity)... does not want the insurance on its ...(type of
468 structure)... to pay for damage from windstorms. ...(Name of
469 entity)... will be responsible for these costs. ...(Name of
470 entity's)... insurance will not."

471 (3) An insurer issuing a residential property insurance
472 policy, except for a condominium unit owner policy or a tenant
473 policy, must make available, at the option of the policyholder,
474 an exclusion of coverage for the contents. The coverage may be
475 excluded only if the policyholder personally writes or types and

476 provides to the insurer the following statement ~~in his or her~~
 477 ~~own handwriting~~ and signs his or her signature, which must also
 478 be signed by every other named insured on the policy, and dated:
 479 "I do not want the insurance on my (home/mobile home) to pay for
 480 the costs to repair or replace any contents that are damaged. I
 481 will pay those costs. My insurance will not."

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

485 627.7152 Assignment agreements.—

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

487 (b) "Assignment agreement" means any instrument by which
 488 post-loss benefits under a residential property insurance policy
 489 or commercial property insurance policy, as that term is defined
 490 in s. 627.0625(1), are assigned or transferred, or acquired in
 491 any manner, in whole or in part, to or from a person providing
 492 services, including, but not limited to, inspecting, protecting,
 493 repairing, restoring, or replacing the ~~protect, repair, restore,~~
 494 ~~or replace~~ property or mitigating to mitigate against further
 495 damage to the property. The term does not include fees collected
 496 by a public adjuster, as defined in s. 626.854(1).

497 (9)(a) An assignee must provide the named insured,
 498 insurer, and the assignor, if not the named insured, with a
 499 written notice of intent to initiate litigation before filing
 500 suit under the policy. Such notice must be served at least 10

501 business days before filing suit, but not before the insurer has
 502 made a determination of coverage under s. 627.70131, by
 503 certified mail, return receipt requested, to the name and
 504 mailing address designated by the insurer in the policy forms or
 505 by electronic delivery to the e-mail address designated by the
 506 insurer in the policy forms ~~at least 10 business days before~~
 507 ~~filing suit, but may not be served before the insurer has made a~~
 508 ~~determination of coverage under s. 627.70131.~~ The notice must
 509 specify the damages in dispute, the amount claimed, and a
 510 presuit settlement demand. Concurrent with the notice, and as a
 511 precondition to filing suit, the assignee must provide the named
 512 insured, insurer, and the assignor, if not the named insured, a
 513 detailed written invoice or estimate of services, including
 514 itemized information on equipment, materials, and supplies; the
 515 number of labor hours; and, in the case of work performed, proof
 516 that the work has been performed in accordance with accepted
 517 industry standards.

518 Section 14. Section 627.7276, Florida Statutes, is amended
 519 to read:

520 627.7276 Notice of limited coverage.—

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

525

526 "THIS POLICY DOES NOT PROVIDE BODILY INJURY AND
 527 PROPERTY DAMAGE LIABILITY INSURANCE OR ANY OTHER
 528 COVERAGE FOR WHICH A SPECIFIC PREMIUM CHARGE IS NOT
 529 MADE, AND DOES NOT COMPLY WITH ANY FINANCIAL
 530 RESPONSIBILITY LAW."

531
 532 (2) This notice legend must accompany ~~appear on~~ the policy
 533 declarations ~~declaration~~ page and ~~on the filing back of the~~
 534 ~~policy and be printed in a contrasting color from that used on~~
 535 ~~the policy and in type~~ size at least as large as the type size
 536 used on the declarations page ~~larger than the largest type used~~
 537 ~~in the text thereof, as an overprint or by a rubber stamp~~
 538 ~~impression.~~

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

541 634.171 Salesperson to be licensed and appointed;
 542 exemptions.—Salespersons for motor vehicle service agreement
 543 companies and insurers must ~~shall~~ be licensed, appointed,
 544 renewed, continued, reinstated, or terminated as prescribed in
 545 chapter 626 for insurance representatives in general. However,
 546 they are ~~shall be~~ exempt from all other provisions of chapter
 547 626, including those relating to fingerprinting, photo
 548 identification, education, and examination ~~provisions.~~
 549 Applicable license, appointment, and other fees are as ~~shall be~~
 550 ~~those~~ prescribed in s. 624.501. A licensed and appointed

551 salesperson ~~is shall be~~ directly responsible and accountable for
552 all acts of her or his employees and other representatives. Each
553 service agreement company or insurer shall, on forms prescribed
554 by the department, within 30 days after termination of the
555 appointment, notify the department of such termination. An ~~No~~
556 employee or a salesperson of a motor vehicle service agreement
557 company or an insurer may not directly or indirectly solicit or
558 negotiate insurance contracts, or hold herself or himself out in
559 any manner to be an insurance agent, unless so qualified,
560 licensed, and appointed therefor under the Florida Insurance
561 Code. A licensed personal lines or general lines agent is not
562 required to be licensed as a salesperson under this section to
563 solicit, negotiate, advertise, or sell motor vehicle service
564 agreements. A motor vehicle service agreement company is not
565 required to be licensed as a salesperson to solicit, sell,
566 issue, or otherwise transact the motor vehicle service
567 agreements issued by the motor vehicle service agreement
568 company.

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

571 634.317 License and appointment required; exemptions. ~~A No~~
572 person may not solicit, negotiate, or effectuate home warranty
573 contracts for remuneration in this state unless such person is
574 licensed and appointed as a sales representative. A licensed and
575 appointed sales representative ~~is shall be~~ directly responsible

576 and accountable for all acts of the licensee's employees. A
 577 licensed personal lines or general lines agent is not required
 578 to be licensed as a sales representative under this section to
 579 solicit, negotiate, advertise, or sell home warranty contracts.

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

582 634.419 License and appointment required; exemptions.—~~A No~~
 583 person or an entity may not shall solicit, negotiate, advertise,
 584 or effectuate service warranty contracts in this state unless
 585 such person or entity is licensed and appointed as a sales
 586 representative. Sales representatives are shall be responsible
 587 for the actions of persons under their supervision. However, a
 588 service warranty association licensed as such under this part is
 589 ~~shall not be~~ required to be licensed and appointed as a sales
 590 representative to solicit, negotiate, advertise, or effectuate
 591 its products. A licensed personal lines or general lines agent
 592 is not required to be licensed as a sales representative under
 593 this section to solicit, negotiate, advertise, or sell service
 594 warranty contracts.

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

599 624.424 Annual statement and other information.—

600 (10) Each insurer or insurer group doing business in this

601 state shall file on a quarterly basis in conjunction with
602 financial reports required by paragraph (1)(a) a supplemental
603 report on an individual and group basis on a form prescribed by
604 the commission with information on personal lines and commercial
605 lines residential property insurance policies in this state. The
606 supplemental report shall include separate information for
607 personal lines property policies and for commercial lines
608 property policies and totals for each item specified, including
609 premiums written for each of the property lines of business as
610 described in ss. 215.555(2)(c) and 627.351(6)(a). The report
611 shall include the following information for each county on a
612 monthly basis:

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

615 (b) Total number of policies canceled.

616 (c) Total number of policies nonrenewed.

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

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

619 (f) Number of new policies written.

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

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

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

626 subsection (6) of section 627.351, Florida Statutes, is
627 reenacted to read:

628 627.351 Insurance risk apportionment plans.—

629 (6) CITIZENS PROPERTY INSURANCE CORPORATION.—

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

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

648 3. The Florida Windstorm Underwriting Association and the
649 Residential Property and Casualty Joint Underwriting Association
650 shall take all actions necessary to further evidence the

651 transfers and provide the documents and instruments of further
652 assurance as may reasonably be requested by the corporation for
653 that purpose. The corporation shall execute assumptions and
654 instruments as the trustees or other parties to the financing
655 documents of the Florida Windstorm Underwriting Association or
656 the Residential Property and Casualty Joint Underwriting
657 Association may reasonably request to further evidence the
658 transfers and assumptions, which transfers and assumptions,
659 however, are effective on the date provided under this paragraph
660 whether or not, and regardless of the date on which, the
661 assumptions or instruments are executed by the corporation.
662 Subject to the relevant financing documents pertaining to their
663 outstanding bonds, notes, indebtedness, or other financing
664 obligations, the moneys, investments, receivables, choses in
665 action, and other intangibles of the Florida Windstorm
666 Underwriting Association shall be credited to the coastal
667 account of the corporation, and those of the personal lines
668 residential coverage account and the commercial lines
669 residential coverage account of the Residential Property and
670 Casualty Joint Underwriting Association shall be credited to the
671 personal lines account and the commercial lines account,
672 respectively, of the corporation.

673 4. Effective July 1, 2002, a new applicant for property
674 insurance coverage who would otherwise have been eligible for
675 coverage in the Florida Windstorm Underwriting Association is

676 eligible for coverage from the corporation as provided in this
677 subsection.

678 5. The transfer of all policies, obligations, rights,
679 assets, and liabilities from the Florida Windstorm Underwriting
680 Association to the corporation and the renaming of the
681 Residential Property and Casualty Joint Underwriting Association
682 as the corporation does not affect the coverage with respect to
683 covered policies as defined in s. 215.555(2)(c) provided to
684 these entities by the Florida Hurricane Catastrophe Fund. The
685 coverage provided by the fund to the Florida Windstorm
686 Underwriting Association based on its exposures as of June 30,
687 2002, and each June 30 thereafter shall be redesignated as
688 coverage for the coastal account of the corporation.
689 Notwithstanding any other provision of law, the coverage
690 provided by the fund to the Residential Property and Casualty
691 Joint Underwriting Association based on its exposures as of June
692 30, 2002, and each June 30 thereafter shall be transferred to
693 the personal lines account and the commercial lines account of
694 the corporation. Notwithstanding any other provision of law, the
695 coastal account shall be treated, for all Florida Hurricane
696 Catastrophe Fund purposes, as if it were a separate
697 participating insurer with its own exposures, reimbursement
698 premium, and loss reimbursement. Likewise, the personal lines
699 and commercial lines accounts shall be viewed together, for all
700 fund purposes, as if the two accounts were one and represent a

701 single, separate participating insurer with its own exposures,
702 reimbursement premium, and loss reimbursement. The coverage
703 provided by the fund to the corporation shall constitute and
704 operate as a full transfer of coverage from the Florida
705 Windstorm Underwriting Association and Residential Property and
706 Casualty Joint Underwriting Association to the corporation.

707 Section 20. For the purpose of incorporating the amendment
708 made by this act to section 626.856, Florida Statutes, in a
709 reference thereto, paragraph (e) of subsection (1) of section
710 626.865, Florida Statutes, is reenacted to read:

711 626.865 Public adjuster's qualifications, bond.—

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

716 (e) Has been licensed in this state as an all-lines
717 adjuster, and has been appointed on a continual basis for the
718 previous 6 months as a public adjuster apprentice under s.
719 626.8561, as an independent adjuster under s. 626.855, or as a
720 company employee adjuster under s. 626.856.

721 Section 21. For the purpose of incorporating the amendment
722 made by this act to section 626.221, Florida Statutes, in a
723 reference thereto, paragraph (b) of subsection (1) of section
724 626.8734, Florida Statutes, is reenacted to read:

725 626.8734 Nonresident all-lines adjuster license

726 | qualifications.—

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

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

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

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

742 | 3. An applicant who holds a certification set forth in s.
743 | 626.221(2)(j).

744 | Section 22. Effective upon this act becoming a law, for
745 | the purpose of incorporating the amendment made by this act to
746 | section 627.7152, Florida Statutes, in references thereto,
747 | subsection (1) and paragraph (d) of subsection (2) of section
748 | 627.7153, Florida Statutes, are reenacted to read:

749 | 627.7153 Policies restricting assignment of post-loss
750 | benefits under a property insurance policy.—

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

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

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

758

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

767 Section 23. Except as otherwise expressly provided in this
768 act and except for this section, which shall take effect upon
769 this act becoming a law, this act shall take effect July 1,
770 2022.