

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Insurance & Banking
 2 Subcommittee

3 Representative Burton offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 47-118 and insert:

7 Section 3. Paragraph (a) of subsection (2) of section
 8 626.932, Florida Statutes, is amended, to read:

9 626.932 Surplus lines tax.—

10 (2) (a) The surplus lines agent shall make payable to the
 11 department the tax related to each calendar quarter's business
 12 as reported to the Florida Surplus Lines Service Office, and
 13 remit the tax to the Florida Surplus Lines Service Office at the
 14 same time as the remittance required ~~provided for the filing of~~
 15 ~~the quarterly affidavit,~~ under s. 626.9325 ~~s. 626.931~~. The
 16 Florida Surplus Lines Service Office shall forward to the

Amendment No. 1

17 department the taxes and any interest collected pursuant to
18 paragraph (b), within 10 days of receipt.

19 Section 4. Paragraph (d) of subsection (1) of section
20 626.935, Florida Statutes, is amended to read:

21 626.935 Suspension, revocation, or refusal of surplus
22 lines agent's license.—

23 (1) The department shall deny an application for, suspend,
24 revoke, or refuse to renew the appointment of a surplus lines
25 agent and all other licenses and appointments held by the
26 licensee under this code, on any of the following grounds:

27 ~~(d) Failure to make and file his or her affidavit or~~
28 ~~reports when due as required by s. 626.931.~~

29 Section 5. Subsection (4) of section 627.715, Florida
30 Statutes, is amended to read:

31 627.715 Flood insurance.—An authorized insurer may issue
32 an insurance policy, contract, or endorsement providing personal
33 lines residential coverage for the peril of flood or excess
34 coverage for the peril of flood on any structure or the contents
35 of personal property contained therein, subject to this section.
36 This section does not apply to commercial lines residential or
37 commercial lines nonresidential coverage for the peril of flood.
38 An insurer may issue flood insurance policies, contracts,
39 endorsements, or excess coverage on a standard, preferred,
40 customized, flexible, or supplemental basis.

41 (4) A surplus lines agent may export a contract or

Amendment No. 1

42 endorsement providing flood coverage to an eligible surplus
43 lines insurer without making a diligent effort to seek such
44 coverage from three or more authorized insurers under s.
45 626.916(1)(a). This subsection expires July 1, 2025 ~~2019~~, or on
46 the date on which the Commissioner of Insurance Regulation
47 determines in writing that there is an adequate admitted market
48 to provide coverage for the peril of flood consistent with this
49 section, whichever date occurs first. If there are fewer than
50 three admitted insurers on the date this subsection expires, the
51 number of declinations necessary to meet the diligent-effort
52 requirement shall be no fewer than the number of authorized
53 insurers providing flood coverage.

54 Section 6. Paragraph (a) of subsection (1) of section
55 629.401, Florida Statutes, is amended to read:

56 629.401 Insurance exchange.—

57 (1) There may be created one or more insurance exchanges,
58 with one or more offices each, subject to such rules as are
59 adopted by the commission. For the purposes of this section, the
60 term "exchange" applies to any such insurance exchange proposed
61 or created under this section. The purposes of the exchange are:

62 (a) To provide a facility for the underwriting of:

63 1. Reinsurance of all kinds of insurance.

64 2. Direct insurance of all kinds on risks located entirely
65 outside the United States.

Amendment No. 1

66 3. Surplus lines insurance for risks located in this state
67 eligible for export under s. 626.916 or s. 626.917 and placed
68 through a licensed Florida surplus lines agent subject to
69 compliance with ~~the provisions of~~ ss. 626.921, 626.922, 626.923,
70 626.924, 626.929, 626.9295, and 626.930, ~~and 626.931~~. With
71 respect to compliance with s. 626.924, the required legend may
72 refer to any coverage provided for by a security fund
73 established under paragraph (3)(d).

74 4. Surplus lines insurance in any other state subject to
75 the applicable surplus lines laws of such other state for risks
76 located entirely outside of this state.

77 Section 7. This act shall take effect July 1, 2019.

78
79
80 -----
81 **T I T L E A M E N D M E N T**

82 Remove lines 12-18 and insert:
83 Florida Surplus Lines Service Office; amending ss. 626.935 and
84 629.401, F.S.; conforming provisions to changes made by the act;
85 amending s. 627.715, F.S.; revising the expiration date of
86 provisions relating to certain surplus lines contracts or
87 endorsements; providing an effective date.