

Bill Tracking Chart



Updated 03-09-09

Insurance Agents

Subject	Bill	Sponsor	References	Description
Sale of Annuities/Unfair Methods of Competition	HB 981	Fitzgerald	Ins, Bus & Fin Affairs Civil & Justice Courts Policy Genl Govt Policy Genl Govt & Healthcare	Insurance; Expands the definition of "affiliated party" to include certain third-party marketers. Includes family members of insurance agents in a prohibition related to the transaction of life insurance. Expands grounds for discretionary refusal, suspension, or revocation of certain licenses. Prohibits a family member of a life insurance agent from being a beneficiary of certain policies, etc. EFFECTIVE DATE: 07/01/2009.
	SB 1372	Bennett	Banking & Insurance Criminal Justice Policy & Steering - Ways/Means	
Construction Bonds	HB 299	Tobia	Governmental Affairs Policy Economic Dev & Com Affairs Govt Ops Appropriations Gen Govt & Health Care	Construction Bonds [CPSC]; Requires a surety to record in the public records a payment bond for a public works construction project, includes numerous other provisions. EFFECTIVE DATE: 10/01/2009.
	SB 560	Bennett	Regulated Industries Community Affairs Judiciary Trans & Econ Dev Approp	
Public Adjusters	HB 1239	Long		General Insurance Representatives: Specifies prohibitions for public adjusters relating to soliciting professional employment; prohibits public adjusters & persons associated with public adjusters from sending unsolicited written communications under specified circumstances; specifies criteria for such communications; specifies requirements for & prohibitions relating to specified written or electronic communications from public adjusters to prospective clients. Effective Date: July 1, 2009
	SB 2676	Smith		

Property Insurance

Subject	Bill	Sponsor	References	Description
Condominium Insurance Glitch Bill	HB 419	Bogdanoff	Civil Justice (6 Y, 0 N) Insurance Crim & Civ Justice Policy Council	Condominium Insurance [CPSC]; Requires that adequate property insurance be based upon the replacement cost of the property to be insured as determined by an independent appraisal or update of a prior appraisal. Requires that such replacement cost be determined at least once within a specified period, deletes additional named insured requirement, changes \$2000 special assessment coverage to \$2000 loss assessment coverage, etc. EFFECTIVE DATE: 07/01/2009.
	SB 714	Jones	Banking & Insurance Regulated Industries Genl Govt Approps	
Community and Condo Associations	HB 831	Frishe	Ins, Bus & Fin Affairs Policy Civil Justice (6 Y, 0 N) Genl Govt Policy Genl Gov't & Healthcare	Community Associations: Provides & revises condominium association insurance requirements; provides associations with specified powers & responsibilities; revises provisions with respect to boards of administration & board elections; revises provisions relating to expenses, notice, financial reporting, & records; provides & revises provisions relating to unpaid assessments, liens, & foreclosure; provides that flagpole & flagpole display are subject to certain restrictions; repeals provisions relating to filing of liens by association against condominium unit & to public elevators & emergency operation plans in certain condominiums & multifamily dwellings, also includes some of the condominium insurance requirements in the bills above. Effective Date: July 1, 2009
	SB 880	Fasano	Regulated Industries Banking & Insurance Community Affairs Judiciary	

Property Insurance Con't.

Subject	Bill	Sponsor	References	Description
Community and Condo Associations	HB 1397	Robaina		Community Associations: Provides & revises condominium association insurance requirements; provides associations with specified powers & responsibilities; revises provisions with respect to boards of administration & board elections; revises provisions relating to expenses, notice, financial reporting, & records; provides & revises provisions relating to unpaid assessments, liens, & foreclosure; provides that flagpole & flagpole display are subject to certain restrictions; repeals provisions relating to filing of liens by association against condominium unit & to public elevators & emergency operation plans in certain condominiums & multifamily dwellings, also includes some of the condominium insurance requirements in the bills above. Effective Date: July 1, 2009
	SB 2302	Garcia		
Loans to Low-income Homeowners for Property Insurance	HB 229	Braynon	Military & Local Affairs Ins, Bus & Fin Affairs Economic Dev & Com Affairs Fin & Tax	Low-income & Moderate-income Homeowners/Insurance [EPSC]; Provides for counties to establish a fund for providing no-interest loans to assist low-income and moderate-income homeowners in paying homeowners' insurance premiums. Authorizes the governing authority of a county to levy surtaxes on building-related permits to finance the assistance fund. Limits the amount a family may receive from the fund in any year. Requires that a loan be repaid if the homestead is sold or refinanced, etc. EFFECTIVE DATE: 07/01/2009 except as otherwise provided.
	SB 328	Wilson	Community Affairs Banking & Insurance Fin & Tax Trans & Econ Dev Approp Policy & Steering	
Hurricane Preparedness Sales tax Exemption	HB 373	Workman	Economic Dev Economic Dev & Com Affairs Finance & Tax	Hurricane Preparedness: Provides exemption from sales & use tax for sales of specified tangible personal property for specified period; provides exception for sales within public lodging establishments, theme parks, entertainment complexes, or airports; provides appropriation. Effective Date: upon becoming a law
	SB 214	Baker	Finance & Tax	
Property Insurance Rate Reduction/Sinkholes	HB 351	Legg	Ins, Bus & Fin Affairs	Property Insurance Rate Reduction: Creates "Property Insurance Rate Reduction Act"; requires insurance companies writing property insurance policies in state to consider county ordinances & amendments to Florida Building Code when setting property insurance rates. Effective Date: upon becoming a law
	SB 742	Fasano	Banking & Insurance (7Y 0N) Community Affairs Genl Govt Appropriations	
My Safe Florida Home for Condo Unit Owners	HB 359	Steinberg	Ins, Bus & Fin Affairs Policy Genl Govt Policy Full Approp - Govt & Health	My Safe Florida Home Program: Authorizes condominium unit owners to apply for My Safe Florida Home Program grants to retrofit their properties to make them less vulnerable to hurricane damage; provides funding; provides additional legislative intent. Effective Date: July 1, 2009
	SB 1344	Bennett	Banking & Insurance Regulated Industries Genl Govt Appropriations Policy & Steering - Ways/Means	
Unfair Methods of Competition (Cherry Picking)				Insurance/Unfair Competition/Deceptive Acts [CPSC]; Provides that an insurer's failure to offer in this state any kind or line of insurance which it offers in another jurisdiction constitutes an unfair method of competition and unfair or deceptive act. Requires that the Financial Services Commission adopt rules. EFFECTIVE DATE: 07/01/2009..
	SB 410	Fasano	Banking & Insurance Judiciary	

Property Insurance Con't.

Subject	Bill	Sponsor	References	Description
Florida Hurricane Catastrophe Fund	HB 437	Rader		Creates Division of Florida Hurricane Catastrophe Fund as division of SBA; provides for division board & division director; revises provisions requiring SBA to invest specified funds; provides for division assumption of SBA duties with respect to fund; revises membership of Florida Hurricane Catastrophe Fund Finance Corporation; provides for reversion of fund assets upon termination of fund; provides for optional coverages of fund; revises temporary increases in coverage limits (TICL); requires TICL addendum to contain division promise to make reimbursements to TICL insurer; includes level of TICL coverage specified by board among factors required to be considered when determining amount of increase in fund's claims-paying capacity (DFS Bill from last Session).
Insurance Rate Incentives for Carbon Monoxide Detectors	HB 513	Gonzalez	Ins, Bus & Fin Affairs Genl Govt Policy Govt Ops Appropriations Full Approp - Govt & Health	Insurance Rate Incentives for Carbon Monoxide Detectors and Alarms: Requires residential property insurance rate filings to include rate discounts, credits, other rate differentials, or reductions in deductibles for installing & maintaining carbon monoxide detectors & alarms; requires OIR to develop proposed method for insurers to establish such incentives; requires FSC to adopt rules for insurers to provide such incentives. Effective Date: July 1, 2009
	SB 822	Garcia	Banking & Insurance Genl Govt Appropriations	
Prohibition of Discriminatory Rating Practices	HB 683	Taylor, P		Prohibition of Discriminatory Rating Practices: Revises unfair methods of competition & unfair or deceptive acts or practices to prohibit use of education, occupation, credit report, or credit score in making rating determinations; prohibits use of credit reports or credit scores by insurers in making rating determinations; deletes provisions regulating & limiting uses of credit reports & credit scores by insurers for underwriting & rating purposes for specified types of insurance. Effective Date: July 1, 2009
	SB 1524	Storms	Banking & Insurance Commerce	
Florida Hurricane Protection Program	HB 1157	Bogdanoff		General Property Insurance: Expands uses of moneys in Florida Hurricane Catastrophe Fund to include Florida Hurricane Protection Program costs;revises TICL coverage levels & periods of effectiveness; creates Florida Hurricane Protection Program; requires SBA to adopt program plan of operation; requires insurer contractual participation; provides sanctions for noncompliance; provides limitations on liability; provides requirements for adoption of rates & forms; provides criteria & requirements for calculation of reinsurance needs & optional reinsurance; provides for transitional rates & form filings by insurers; specifies applicability of insurance premium tax to policies issued by program; requires program to make payments to DOR; prohibits Citizens Property Insurance Corporation from issuing or renewing specified types of policies after specified date; provides exception to restrictions on acceptance of specified offers of coverage; requires CPIC to provide access to specified policy information by insurance agents; etc...(similar to FAIA's Windstorm Coverage Proposal)
	SB 2384	Fasano		
Nonassessable Residential Property Insurance Policies	HB 1171	Proctor		General Residential Property Insurance: Excludes nonassessable residential property insurance from emergency assessments for Florida Hurricane Catastrophe Fund; provides that nonassessable residential property insurance is not subject to determinations as excessive or unfairly discriminatory; provides exception; preserves authority of OIR to disapprove rates or rate filings; excludes nonassessable residential property insurance policies from aggregate statewide direct written premium for subject lines of business for purposes of calculating emergency assessments; excludes nonassessable residential property insurance from subject lines of business; defines assessable & nonassessable residential property insurance; authorizes insurers to offer nonassessable residential property insurance policies; authorizes residential property owners to purchase nonassessable residential property insurance policies; requires applications for nonassessable residential property policy contain specified disclaimer. Effective Date: July 1, 2009
	SB 2036	Bennett	Banking & Insurance Finance & Tax Genl Govt Appropriations	

Property Insurance Con't.

Subject	Bill	Sponsor	References	Description
My Safe Florida Home Program				General My Safe Florida Home Program; Revises legislative intent. Revises criteria for eligibility for a mitigation grant. Requires that the DFS assign contractors to homeowners. Expands the list of improvements for which grants may be used. Authorizes an insurer to accept as valid a uniform mitigation verification form signed by specified parties. Provides penalties for knowingly submitting a false or fraudulent mitigation form with the intent to receive an undeserved discount, etc. APPROPRIATION: \$25,000,000. EFFECTIVE DATE: 07/01/2009.
	SB 2078	Justice	Banking & Insurance Criminal Justice Gov't Oversight & Acct. Genl Gov't Appropriations	
Homeowners' Insurance Policy Termination Notice				Requires that the OIR provide policyholders with written notice of certain information regarding the termination of a policy and the selection of a new policy. Provides deadlines by which information must be provided. Requires that the office provide policyholders with instructions for contacting a broker, agent, or counselor for the purpose of selecting a new coverage plan or making changes to an existing policy. EFFECTIVE DATE: 07/01/2009.
	SB 2118	Dean	Banking & Insurance Commerce Genl Gov't Appropriations	
Citizens Property Insurance/ subject lines of business	HB 1359	Eisnaugle		Redefines the term "subject lines of business" for purposes of insurance risk apportionment. EFFECTIVE DATE: 07/01/2009.
	SB 2146	Gardiner	Banking & Insurance Finance & Tax Genl Gov't Appropriations	
Citizens Personal Lines Policies	HB 715	Jenne		Citizens Property Insurance Corporation: Revises plan of operation requirements for basic personal lines policy forms to specify no limitations on replacement costs or coverage amounts for HO-8 policies or dwelling fire policies. Effective Date: July 1, 2009
	SB 1060	Bennett	Banking & Insurance Genl Govt Appropriations Policy & Steering - Ways/Means	
Insurance Premium Financing	HB 741	Patterson	Ins, Bus & Fin Affairs Policy (18Y 0N) Genl Govt Policy Council	Insurance Premium Financing: Specifies nonapplication of specified provisions of law to actuarially justified & approved discounts for insureds paying entire premium for entire policy period at beginning of term; specifies such discounts as not related to premium financing. Effective Date: July 1, 2009
	SB 1432	Storms	Banking & Insurance Finance & Tax	
Surplus Lines Insurance	HB 853	Patterson	Ins, Bus & Fin Affairs Policy Genl Gov't Policy	Surplus Lines Insurers: Specifies nonapplication of provisions of ch. 627, F.S., to surplus lines insurers & provides for retroactive operation .(Essex vs. Zota fix) Effective Date: upon becoming a law and shall operate retroactively to October 1, 1988
	SB 1894	Bennett	Banking & Insurance Finance & Tax Genl Govt Appropriations Policy & Steering- Ways/Means	
Citizens Rate Freeze	HB 1273	Gonzalez		Insurance [CPSC]; Extends the rate freeze imposed upon Citizens Property Insurance Corporation by 1 year. EFFECTIVE DATE: 07/01/2009.
	SB 862	Fasano	Banking & Insurance Genl Govt Appropriations Policy & Steering - Ways/Means	

Property Insurance Con't.

Subject	Bill	Sponsor	References	Description
Unfair Claim Settlement Practices				Insurance [CPSC]; Provides that it is an unfair claim settlement practice for an insurer to fail to adopt and implement standards for the proper adjustment of claims with such frequency as to indicate a general business practice. EFFECTIVE DATE: 07/01/2009.
	SB 962	Gaetz	Banking & Insurance Judiciary	
Insurer's Fiduciary Duty	SB 964	Gaetz	Banking & Insurance Judiciary Crim & Civ Justice Policy Council	Insurance/Fiduciary Duty [CPSC]; Provides a legislative finding with respect to the fiduciary duty of an insurer to those it insures. EFFECTIVE DATE: 07/01/2009.
Unfair Methods of Competition, Trade Secrets and Rate Making				Insurance; limiting nonrenewals of residential property insurance policies (2%); limits acquisition costs and other expenses in rate filing (20%); requires flood insurance for certain Citizens' policy holders; eliminates Citizens' wind-only policies, etc. EFFECTIVE DATE: 07/01/2009.
	SB 1820	Fasano	Banking & Insurance Genl Govt Appropriations Policy & Steering- Ways/Means	
CAT Fund/ Citizens Rates	HB 1495	Nelson		Extends application of provisions relating to temporary increase in coverage limit operations for Florida Hurricane Catastrophe Fund; provides additional reimbursement requirements for temporary increase in coverage addenda for additional contract years; defines term "actuarially sound rates" for purposes of coverage by Citizens Property Insurance Corporation; requires corporation to implement specified rate increases each year; provides for termination of such rate increase implementation; requires corporation to transfer specified moneys to GR Fund; provides for termination of such transfers; provides for appropriation of transferred funds to Insurance Regulatory Trust Fund; requires My Safe Florida Home Program to use specified funds for mitigation grants; authorizes DFS to establish separate account in trust fund for accounting purposes.

Automobile Insurance

Subject	Bill	Sponsor	References	Description
Motor Vehicle Liability/ Wrongful Death Coverage	HB 711	Waldman	Civil Justice & Courts Policy Ins, Bus & Financial Affairs Crim & Civil Justice Policy Policy Council	Wrongful Death Coverage: Prohibits certain motor vehicle liability insurance policies from including family exclusions for wrongful death claims; provides applicability. Effective Date: July 1, 2009
	SB 1254	Hill	Banking & Insurance Judiciary	
Fianancial Responsibility/ Felony Traffic Offense	HB 735	Fetterman	Roads, Bridges & Ports Policy Econ Dev & Com Affairs Policy Trans & Econ Dev Approps Full Approps Council- EDU & Econ Dev	Financial Responsibility: Requires person who has been found guilty of or entered plea of guilty or nolo contendere to felony traffic offense or had mandatory revocation of his or her driving privilege maintain certain amount of security or insurance for liability coverage of accidents involving use of motor vehicle; requires DHSMV to provide notice to OIR of such persons. Effective Date: October 1, 2009
	SB 1634	Gelber	Transportation Banking & Insurance Trans & Econ Dev Approps	

Automobile Insurance Con't.

Subject	Bill	Sponsor	References	Description
DHSMV Legislative Package/ Garage Liability Insurance				Department of Highway Safety and Motor Vehicles [CPSC]; Requires the HSMV to retain trust fund moneys in the DUI Programs Coordination Trust Fund for investment. Requires drivers of vehicles to behave in a specified fashion when approaching emergency vehicles or wreckers. Prohibits a person under 16 years of age from operating a motorcycle or moped. Authorizes the HSMV to issue an electronic certificate of title in lieu of printing a paper title, makes reference to garage liability policies and liability policies for dealers, etc. EFFECTIVE DATE: 10/01/2009.
	SB 986	Transportation Committee	Transportation Banking & Insurance Judiciary Finance & Tax Trans & Econ Dev Approps	
First Responder Fees	HB 1043	Thompson, N		General First-responder Services: Prohibits counties & municipalities from imposing taxes, charging fees, or seeking reimbursement for costs relating to certain first-responder services. Effective Date: July 1, 2009
	SB 2282	Bennett		
Personal Injury Claims	HB 1281	Kriseman		Prohibits resolution or settlement of personal injury claims under bodily injury, uninsured motorist, PIP, medical payments and general liability coverages within 30 days after date of injury; provides exception when insurer tenders policy limits to injured party; provides for insurance carriers advancing or paying portion of coverage; provides for credit against amounts of settlement or jury verdict for payments made; provides for unenforceability of specified settlements or releases; specifies violation as false & fraudulent insurance claim to which penalties apply. Effective Date: upon becoming a law
	SB 2646	Deutch		
Motor Vehicle Short-term rental or Lease Insurance	HB 1289	Scionti		Requires lessees under certain motor vehicle rental or lease agreements to obtain certain liability insurance; specifies minimum insurance requirements for motor vehicles rented or leased for less than single year; prohibits lessor from leasing to lessee without insurance; authorizes specified lessors to offer & sell short-term motor vehicle rental or lease insurance; authorizes such lessors to charge fee under specified circumstances; specifies absence of lessor liability under certain circumstances; provides application. Effective Date: July 1, 2009
	SB 2622	Peaden		

Workers' Compensation

Subject	Bill	Sponsor	References	Description
Workers' Compensation Self Insurance Funds	HB 845	Drake	Ins, Bus & Fin Affairs Policy Genl Govt Policy Finance & Tax	Self-Insurance Funds: Authorizes specified electric cooperatives to operate self-insurance fund for specified purposes; subjects such funds to specified assessments; revises definition of "self-insurance fund" under Florida Workers' Compensation Insurance Guaranty Association Act to exclude certain types of self-insurance funds. Effective Date: July 1, 2009
	SB 1138	Gaetz	Banking & Insurance Com, Energy & Public Utilities Higher Education Policy & Steering	

Workers' Compensation Con't.

Subject	Bill	Sponsor	References	Description
Attorney's Fees	HB 903	Flores	Ins, Bus & Fin Affairs Policy Genl Gov't Policy	Workers' Compensation Attorney's Fees: Requires fee, gratuity, or other consideration to be paid to attorney representing claimant as approved by judge of compensation claims or court having jurisdiction in accordance with statutory guidelines; revises amount of attorney's fees that may be paid; clarifies amounts claimant is eligible to recover from carrier or employer. (Murray fix) Effective Date: upon becoming law
	SB 2072	Richter	Banking & Insurance Judiciary Genl Gov't Appropriations	
Attorney's Fees				General Workers' Compensation; Deletes provisions prohibiting payments for services in connection with a worker's compensation claim which are not approved by a judge of compensation claims. Deletes provisions prohibiting such judge from approving the payment of attorney's fees in excess of certain amounts. Provides that ch. 440, F.S., does not impair the right of a claimant to contract with an attorney, opens up additional sections of Chapter 440, etc. EFFECTIVE DATE: 07/01/2009. (Not Business Coalition's language)
	SB 2280	Gelber		
Attorney's Fees	HB 1489	Rivera		Decriminalizes receipt of attorney's fee that has not been approved by judge of compensation claims; limits scope of judge of compensation claims' authority to approve settlement agreements; revises provisions relating to attorney's fees; revises procedures, requirements, & timeframes for mediation, pretrial hearings, & expedited hearings; revises provisions relating to assessment of penalties for maintaining or continuing proceeding frivolously; revises attorney's fee provisions; requires judicial approval of certain fees paid by carrier or employer; deletes limitation on retainer agreements & provisions relating to approval of certain attorney's fees; specifies that nothing in chapter shall impair claimant's right to contract for representation; provides that weeks of certain training & education benefits are in addition to available weeks of temporary total disability benefits for purpose of benefit calculations. (Not Business Coalition's language)

Tort / Miscellaneous Issues

Subject	Bill	Sponsor	References	Description
Civil Remedies/ Bad Faith	HB 1463	Murzin		Civil Actions Against Insurers; Authorizes an insured to bring a civil action against an insurer when the insured is damaged by the commission of certain acts by the insurer. Requires the insured and any person demanding settlement to cooperate with the insurer with regard to facilitating the settlement. Provides that the insurer of an insured or insureds is not liable for extracontractual damages for failing to pay the insurer's policy limits under certain circumstances (Bad Faith Reform), etc. EFFECTIVE DATE: 07/01/2009.
	SB 1650	Oelrich	Banking & Insurance Judiciary Genl Govt Approps	
Professional Liability Insurance	HB 511	O'Toole	Civil Justice & Courts Ins, Bus & Fin Affairs Crim & Civ Justice Policy Policy Council	Professional Liability Claims: Revises requirements for professional liability claims & actions; requires absence of claims submission reports to be filed under specified circumstances. Effective Date: July 1, 2009
	SB 2252	Baker		

Tort / Miscellaneous Issues Cont.

Subject	Bill	Sponsor	References	Description
Liability Insurance for Nursing Homes	HB 945	Thompson, N	Healthcare Reg Policy Ins, Bus & Fin Affairs Health & Family Svcs Full Approps - Genl Govt Healthcare	Long-term Care: Requires licensed nursing home facilities to satisfy specified financial responsibilities relating to liability insurance coverage; provides application. Effective Date: July 1, 2009, and shall apply to all policies issued or renewed on or after that date
	SB 1270	Storms	Health Regulation Banking & Insurance Judiciary Health & Human Svcs Approps	
Civil Remedy/ Citizens	HB 1051	Domino		Civil Remedies Against Insurers [CPSC]; Authorizes a person to bring a civil action against Citizens Property Insurance Corporation when such person is damaged by the commission of specified acts or specified violations of state law. Prohibits the assessment of punitive damages against Citizens Property Insurance Corporation. EFFECTIVE DATE: 07/01/2009.
	SB 960	Gaetz	Banking & Insurance Judiciary Genl Govt Approps	
Sales Tax on Services	HB 1163	Hukill		General Review of Exemptions and Exclusions from the Tax on Sales, Use, and Other Transactions (Florida Sales Tax Fairness Restoration Act): Provides additional responsibilities of Joint Legislative Sunset Committee to review exemptions from general state sales & use tax & exclusions of sales of services from such taxation; provides for meetings & governance by joint rules; specifies powers & duties; provides for reports; requires continuing periodic review of sales tax exemptions & exclusions (service tax); provides for legislative proposals; provides for futures abolition of specified tax exemptions;future repeal of certain provisions relating to various sales & use tax exemptions, exclusions, & credits. Effective Date: July 1, 2009
	SB 2576	Lynn		
Negligence/Slip on Transitory Foreign Substance	HB 495	Murzin	Civil Justice & Courts Crim & Civ Justice Policy Policy Council	Provides that if a person slips and falls on a transitory foreign substance in a business establishment, the injured person must prove that the business establishment had knowledge of the condition in that the condition existed for a sufficient time for the business establishment to have taken action to remedy the condition. Provides that constructive knowledge may be proven by circumstantial evidence, etc. EFFECTIVE DATE: 07/01/2009.
	SB 2402	Gardiner		