



WEEKLY LEGISLATIVE UPDATE: OPENING WEEK OF SESSION

March 9th, 2017

The Personal Insurance Federation of Florida (PIFF) is a leading property & casualty insurance trade association that advocates for a healthy and competitive marketplace for the benefit of insurance consumers in Florida.

HB 47 - Relating to Texting While Driving Representative Stark

Summary: Revises penalties for violations of Florida Ban on Texting While Driving Law; provides enhanced penalties for such violations when committed in school zone or school crossing; removes requirement that specified provisions be enforced as secondary action by law enforcement agency. Effective Date: July 1, 2017

PIFF Position: Supports decreasing distracted driving

Legislative Actions: Now in Transportation and Infrastructure Subcommittee

SB 66 - Relating to Highway Safety Senator Clemens

Summary: Deleting the definition of the term vulnerable road user; revising provisions relating to the overtaking and passing of a vehicle; exempting bicycles from provisions for passing a vehicle on the right under certain circumstances; providing penalties for specified infractions contributing to bodily injury of a vulnerable user of a public roadway or a vulnerable user, etc. Effective Date: 10/1/2017

PIFF Position: Supports decreasing distracted driving

Legislative Actions: Withdrawn from prior Introductions

Comparison Bill: SB 408

2017

LEGISLATIVE PRIORITIES

AOB Reform- PIFF supports a change to Florida's "one-way attorney fee" law so that businesses that sue insurance companies are required to pay their own lawyers.

PIP Insurance- PIFF members believe that any changes to the PIP law must be thoughtful, comprehensive, and consumer-focused. Any new mandatory levels of coverage could increase premiums for all consumers.

Bad Faith- PIFF supports restoring bad faith laws to their original intent as a tool to protect consumers and end the windfall profits for trial lawyers.

Transportation Network Companies- PIFF members support strengthening the law regarding insurance requirements to ensure TNC drivers and passengers are adequately protected.

Prejudgment Interest- PIFF opposes any change to current law.

Premium Tax Credit- PIFF opposes any change to current law.

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HB 69 - Relating to Use of Wireless Communications Devices while Driving

Representative Slosberg

Summary: Provides for primary enforcement of Florida Ban on Texting While Driving Law for drivers age 18 or younger; requires deposit of fines into Emergency Medical Services Trust Fund. Effective Date: July 1, 2017

PIFF Position: Supports decreasing distracted driving

Legislative Actions: Now in Transportation and Infrastructure Subcommittee

Comparison Bill: SB 144

SB 94- Relating to Property Insurance Appraisers and Property Insurance Appraisal Umpires

Senator Artilles

Summary: Authorizing the Department of Financial Services to investigate property insurance appraisal umpires for violations of the insurance code; creating the Property Insurance Appraisal Umpire Law; providing qualifications for license as an umpire; authorizing the department to refuse, suspend, or revoke an umpires license under certain circumstances; providing an appropriation and authorizing positions, etc. APPROPRIATION: \$136,337.00 Effective Date: 10/1/2017

PIFF Position: Monitoring

Legislative Actions: Referred to Banking and Insurance; Regulated Industries; Appropriations Subcommittee on General Government; Appropriations

Comparison Bill: HB 767

HB 97- Relating to Certificates of Title for Motor Vehicles

Representative Pigman

Summary: Prohibits DHSMV from charging fee for certificate of title issued for motor vehicle solely to remove deceased joint owner if the other joint owner is surviving spouse. Effective Date: July 1, 2017

PIFF Position: Monitoring

Legislative Actions: Now in Transportation & Tourism Appropriations Subcommittee

Comparison Bill: SB 164

SB 112 - Relating to Flood Hazard Mitigation

Senator Brandes

Summary: Authorizing the Division of Emergency Management of the Executive Office of the Governor to administer a matching grant program for local governments to implement flood hazard risk reduction policies and projects; revising the powers of the Florida Communities Trust to authorize the undertaking, coordination, and funding of flood mitigation projects; authorizing the trust to acquire and dispose of real and personal property to reduce flood hazards, etc.

APPROPRIATION: Indeterminate Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Referred to Banking and Insurance; Community Affairs; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations

Comparison Bill: HB 613

SB 144- Relating to Use of Wireless Communications Devices While Driving

Senator Garcia

Summary: Providing for primary enforcement of the Florida Ban on Texting While Driving Law for drivers age 18 or younger; requiring deposit of fines into the Emergency Medical Services Trust Fund; providing an effective date, etc. Effective Date: 7/1/2017

PIFF Position: Supports decreasing distracted driving

Legislative Actions: Committee Substitute Text (C1) Filed

Comparison Bill: HB 69

SB 146- Relating to Damages Recoverable for the Cost of Medical or Health Care Services

Senator Passidomo

Summary: Providing for the calculation of an award of damages for certain medical or health care services paid or owed by a claimant or a governmental or commercial insurance payor; providing that the amount of a lien or subrogation claim asserted by Medicaid, Medicare, or a payor regulated under the Florida Insurance Code for certain past medical expenses, in addition to the amount of copayments or deductibles payable by the claimant, is the maximum amount recoverable and admissible into evidence under certain circumstances, etc. Effective Date: Upon becoming a law

PIFF Position: Support accuracy in damages legislation

Legislative Actions: Referred to Judiciary; Banking and Insurance; Rules

Comparison Bill: SB 384, HB 537, HB 583

SB 156 - Relating to Motor Vehicle Insurance (No-Fault Repeal)

Senator Brandes

Summary: Authorizing insurers to provide for termination of motor vehicle insurance policies issued or renewed on or after a specified date as a result of the repeal of sections by this act; requiring certain motor vehicle insurance policies to provide certain property damage liability and bodily injury liability coverage, rather than only such policies providing personal injury protection; expanding the scope of certain criminal acts related to false and fraudulent insurance claims by removing limitations to such acts under the no-fault law, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect January 2, 2019

PIFF Position: Monitoring

Legislative Actions: Referred to Banking and Insurance; Judiciary; Criminal Justice; Appropriations

Comparison Bill: HB 461

SB 164 - Relating to Certificates of Title for Motor Vehicles

Senator Grimsley

Summary: Prohibiting the Department of Highway Safety and Motor Vehicles from charging a fee for a certificate of title issued for a motor vehicle solely to remove a deceased joint owner if the other joint owner is the surviving spouse, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Now in Appropriations

Comparison Bill: HB 97

SB 188 - Relating to Vacation Rentals

Senator Steube

Summary: Providing that local laws, ordinances, and regulations adopted after a certain date may not restrict the use of, prohibit, or regulate vacation rentals based solely on their classification, use, or occupancy, etc. Effective Date: Upon becoming a law

PIFF Position: Monitoring

Legislative Actions: Referred to Regulated Industries; Community Affairs; Rules

Comparison Bill: HB 425

HB 191 - Relating to Commercial Lines of Residential Coverage

Representative Beshears

Summary: Provides conditions under which specified commercial lines residential coverage is exportable. Effective Date: July 1, 2017

PIFF Position: Monitoring

Legislative Actions: Now in Insurance & Banking Subcommittee

Comparison Bill: SB 208

HB 193 - Relating to Towing and Storage Fees

Representative Cortes

Summary: Prohibits counties & municipalities from enacting ordinances or rules that impose a fee or charge on wrecker operators or vehicle storage companies when providing certain services; provides exceptions. Effective Date: July 1, 2017

PIFF Position: Monitoring

Legislative Actions: Now in Government Accountability Committee

Comparison Bill: SB 282

SB 208- Relating to Surplus Lines Insurance

Senator Passidomo

Summary: Revising conditions for the export eligibility of commercial lines residential coverage, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Referred to Banking and Insurance; Commerce and Tourism; Rules

Comparison Bill: HB 191

HB 221- Relating to Transportation Network Companies

Representative Sprowls

Summary: Provides that transportation network company (TNC) driver is not required to register certain vehicles as commercial motor vehicles/for-hire vehicles; requires TNC to designate & maintain agent for service of process; provides fare requirements & requirements for TNC's digital network; provides for electronic receipt; provides automobile insurance requirements & requirements for specified proof of coverage; provides disclosure requirements for TNC driver in event of accident; requires TNC to cause its insurer to issue certain payments directly to certain parties; requires TNC to make specified disclosures in writing to TNC drivers; authorizes specified insurers to exclude certain coverage; provides that right to exclude coverage applies to coverage included in automobile insurance policy; provides that specified automobile insurers have right of contribution against other insurers that provide automobile insurance to same TNC drivers in satisfaction of certain coverage requirements under certain circumstances; requires TNC to provide specified information to certain parties during claims coverage investigation; requires certain insurers to disclose specified information to other insurer involved in claim; provides that TNC drivers are independent contractors if specified conditions are met; requires TNC to implement zero-tolerance policy for drug/alcohol use; provides TNC driver requirements; requires TNC to conduct background check for TNC driver; prohibits TNC driver from accepting certain rides or soliciting/accepting street hails; requires TNC to adopt nondiscrimination policy & notify TNC drivers of policy; requires TNC drivers to comply with nondiscrimination policy & applicable laws regarding nondiscrimination &

accommodation of service animals; prohibits TNC from imposing additional charges for providing services to persons who have physical disabilities; requires TNC to maintain specified records; specifies that TNCs, TNC drivers, & TNC vehicles are governed exclusively by state law; prohibits local governmental entities & subdivisions from taking specified actions; provides applicability & construction. Effective Date: July 1, 2017

PIFF Position: SUPPORT

Legislative Actions: Placed on Calendar

Comparison Bill: SB 340

SB 262- Relating to Health Insurance

Senator Steube

Summary: Deleting a provision that provides that health maintenance organizations are not vicariously liable for certain medical negligence except under certain circumstances; authorizing specified persons to bring a civil action against a health maintenance organization for certain violations; specifying a health maintenance organizations liability for such violations, etc. Effective Date: 10/1/2017

PIFF Position: Monitoring

Legislative Actions: Favorable by Banking and Insurance; 6 Yeas, 3 Nays; Now in Judiciary

Comparison Bill: HB 675

SB 282- Relating to Towing and Storage Fees

Senator Artiles

Summary: Prohibiting counties and municipalities from enacting certain ordinances or rules to impose a fee or charge on wrecker operators or vehicle storage companies, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Referred to Community Affairs; Transportation; Appropriations Subcommittee on Finance and Tax; Appropriations

Comparison Bill: HB 193

SB 334- Relating to Prejudgment Interest

Senator Steube

Summary: Requiring a court to include interest in a final judgment in an action from which a plaintiff recovers economic or noneconomic damages; requiring a court to include interest on attorney fees and costs in the final judgment, if recovered, etc. Effective Date: 7/1/2017

PIFF Position: OPPOSE

Legislative Actions: On Committee Agenda- Rules

Comparison Bill: HB 469

SB 340- Relating to Transportation Network Companies

Senator Brandes

Summary: Providing that a transportation network company (TNC) driver is not required to register certain vehicles as commercial motor vehicles or for-hire vehicles; providing requirements for a TNC's digital network; providing that specified automobile insurers have a right of contribution against other insurers that provide automobile insurance to the same TNC drivers in satisfaction of certain coverage requirements under certain circumstances, etc. Effective Date: 7/1/2017

PIFF Position: SUPPORT

Legislative Actions: Referred to Banking and Insurance; Judiciary; Rules

Comparison Bill: HB 221

HB 359- Relating to Insurance

Representative Santiago

Summary: Removes provision repealing exemption from emergency assessment for medical malpractice insurance premiums; revises definition of asset; revises requirements for medical malpractice insurers to provide rate filing; permits insurers to charge insufficient funds fees; provides conditions under which an electronically delivered document meets formatting requirements; authorizes insurer to exclude certain household members from private passenger motor vehicle insurance. Effective Date: upon becoming law

PIFF Position: SUPPORT

Legislative Action: Now in Insurance & Banking Subcommittee

Comparison Bill: SB 454

SB 378- Relating to Taxation

Senator Flores

Summary: Revising the allocation of proceeds from the communications services tax on direct-to-home satellite services; revising the distribution of proceeds from certain sales and use taxes and communications services taxes to specified trust funds; deleting the credit against the insurance premium tax which is based on the amount paid in salaries to certain employees within this state, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law

PIFF Position: OPPOSE

Legislative Action: Referred to Appropriations Subcommittee on Finance and Tax; Appropriations

SB 420- Relating to Flood Insurance

Senator Brandes

Summary: Revising the intervals at which specified standards and guidelines for projecting certain rate filings must be revised by the Florida Commission on Hurricane Loss Projection Methodology; authorizing an insurer to issue flood insurance policies on a flexible basis; specifying a condition for an eligible surplus lines insurer before a surplus lines agent may be excepted from a diligent-effort requirement when exporting flood insurance contracts or endorsements to the insurer, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Now in Community Affairs

Comparison Bill: HB 813

SB 454- Relating to Regulation of Insurance Companies

Senator Brandes

Summary: Deleting a future repeal of an exemption of medical malpractice insurance premiums from certain emergency assessments by the State Board of Administration relating to the Florida Hurricane Catastrophe Fund; revising a definition of “assets” of an insurer to include certain assessments levied by the Office of Insurance Regulation, etc. Effective Date: Upon becoming a law

PIFF Position: SUPPORT

Legislative Action: Now in Appropriations Subcommittee on General Government

Comparison Bill: HB 359

HB 461- Relating to Motor Vehicle Insurance

Representative Hager

Summary: Repeals Florida Motor Vehicle No-Fault Law & requirements for personal injury protection coverage; increases amount of security required for owners, operators, & dealers of motor vehicles; increases amount of deposit to obtain certificate of self-insurance & certificate of insurance; increases amount of net worth to obtain self-insurance; provides legislative intent; provides notice requirements to inform policyholders of changes in insurance coverage.

Effective Date: January 1, 2018

PIFF Position: Monitoring

Legislative Actions: Now In Insurance & Banking Subcommittee

Comparison Bill: SB 156

HB 469- Relating to Prejudgment Interest

Representative Harrison

Summary: Requires court to include interest on monetary damages & attorney fees & costs in final judgment; specifies dates on which interest shall begin to accrue; provides applicability.

Effective Date: July 1, 2017

PIFF Position: OPPOSE

Legislative Actions: Now in Judiciary Committee

Comparison Bill: SB 334

HB 597- Relating to Florida Hurricane Catastrophe Fund

Representative Santiago

Summary: Revises provisions regarding Hurricane Catastrophe Trust Fund, insurer options for purchasing optional market stabilization coverage layers, SBA advisory council, formula for determining Citizen's Property Insurance Corporation cash build-up factor, & insurance reimbursement premiums for insurance fraud purposes. Effective Date: July 1, 2017

PIFF Position: Monitoring

Legislative Actions: Now in Insurance & Banking Subcommittee

HB 613- Relating to Flood Hazard Mitigation

Representative Ahern

Summary: Authorizes DEM to administer, subject to appropriation, matching grant program for local governments to implement flood hazard risk mitigation policies & projects; authorizes Florida Communities Trust to acquire & dispose of real & personal property to reduce flood hazards; revises requirements for certain land acquisition agreements. Effective Date: July 1, 2017

PIFF Position: Monitoring

Legislative Actions: Now in Oversight, Transparency & Administration Subcommittee

Comparison Bill: SB 112

HB 639- Relating to Emergency Assessments for Property Insurance

Representative Shaw

Summary: Revises limitations on certain emergency assessments levied by Citizens Property Insurance Corporation & limits the corporation's authority to pledge certain account's emergency assessment to secure issuance of bonds or other security; revises limitation on Florida Insurance Guaranty Association's obligations for policies covering condominium or homeowners' associations; requires OIR to levy specified additional emergency assessments against certain insurers for specified purposes. Effective Date: upon becoming a law

PIFF Position: Monitoring

Legislative Actions: Now in Insurance & Banking Subcommittee

Comparison Bill: SB 728

HB 725- Relating to Autonomous Vehicles

Representative Brodeur

Summary: Autonomous Vehicles: Authorizes person to engage autonomous technology to operate autonomous vehicle in autonomous mode; provides that autonomous technology is deemed operator of autonomous vehicle operating in autonomous mode for determining compliance with traffic & motor vehicle laws; provides construction & applicability with respect to specific statutory provisions. Effective Date: July 1, 2017

PIFF Position: Monitoring

Legislative Actions: Committee Substitute Text (C1) Filed

Comparison Bill: SB 1066

SB 728 Relating to Property Insurance

Representative Rouson

Summary: Revising limitations on the aggregate amount of certain emergency assessments levied by the board of governors of the Citizens Property Insurance Corporation; prohibiting the corporation from pledging more than a specified percent of its commercial lines account emergency assessment authority to secure the issuance of bonds or any other security; revising a limitation on a certain obligation of the Florida Insurance Guaranty Association for policies covering condominium associations or homeowners' associations; requiring the Office of Insurance Regulation to levy specified additional emergency assessments against certain insurers for specified purposes, etc Effective Date: Upon becoming a law

PIFF Position: Monitoring

Legislative Actions: Referred to Banking and Insurance; Appropriations Subcommittee on General Government; Appropriations, Rules

Comparison Bill: HB 639

SB 730 Relating to Insurer Insolvency

Senator Passidomo

Summary: Adding the insurer Receivership Model Act to a list of acts that extend reciprocity in the treatment of policyholders in receivership if such act is enacted in other states; revising the exclusive jurisdiction of all Circuit Court of Leon County, upon issuance of specified orders, of an insurers assets or property in a delinquency proceeding, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Now in Appropriations Subcommittee on General Government

Comparison Bill: HB 837

HB 767 Relating to Insurance Appraisers and Property Insurance Appraisal Umpires

Representative Fischer

Summary: Creating “Property Insurance Appraisal Umpire Law”; provides licensing requirements, continuing education requirements & prohibited acts for umpires; revises the Florida Insurance Code to include umpires; authorizes DFS to refuse, suspend, or revoke umpire’s license under certain circumstances; providing appropriation & authorizing positions. Effective Date: October 1, 2017

PIFF Position: Monitoring

Legislative Actions: Now in Insurance & Banking Subcommittee

Comparison Bill: SB 94

HB 805- Relating to Insurance Policy Transfers

Representative Ingolia

Summary: Authorizes insurer to transfer residential property insurance policy to another authorized insurer upon expiration of policy term if specified conditions are met. Effective Date: July 1, 2017

PIFF Position: Monitoring

Legislative Actions: Now in Insurance & Banking Subcommittee

Comparison Bill: SB 812

SB 812- Relating to Insurance Policy and Transfers

Senator Perry

Summary: Authorizing an insurer to transfer a personal lines residential or commercial residential property insurance policy to another authorized insurer upon expiration of the policy term if specified conditions are met, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Referred to Banking and Insurance; Commerce and Tourism; Rules

Comparison Bill: HB 805

HB 813- Relating to Flood Insurance

Representative Larry Lee

Summary: Flood Insurance: Revises intervals at which specified standards & guidelines for projecting certain rate filings must be revised by Florida Commission on Hurricane Loss Projection Methodology; authorizes insurer to issue flood insurance policies on flexible basis; specifies condition for eligible surplus lines insurer before surplus lines agent may be excepted from diligent-effort requirement when exporting flood insurance contracts/endorsements to insurer. Effective Date: July 1, 2017

PIFF Position: Monitoring

Legislative Actions: Committee Substitute Text)C1) Filed

Comparison Bill: SB 420

HB 837- Relating to Insurer Insolvency

Representative Raburn

Summary: Revises Insurers Rehabilitation & Liquidation Act; revises notice requirements, court jurisdiction, filing requirements, procedures, & defenses of delinquency proceedings; authorizes receiver & DFS, as domiciliary receiver, to perform certain functions; provides certain persons of insolvent insurers are discharged & have no further authority over affairs or assets of insurer; revises priority of claims. Effective Date: July 1, 2017

PIFF Position: Monitoring

Legislative Actions: Now in Insurance & Banking Subcommittee

Comparison Bill: SB 730

HB 901- Relating to Florida Building Commission

Representative McClain

Summary: Requires commission to use specified editions of Florida Building Code as foundation for development of & updates to code; requires commission to review, rather than update, code every 3 years; deletes provision that specifies how long amendments or modifications to foundation remain effective; deletes provisions limiting how long amendment or modification is effective; deletes provision requiring certain amendments or modifications to be carried forward into next edition of code, subject to certain conditions; deletes certain requirements for resubmission of expired amendments; deletes provision prohibiting proposed amendment from being included in foundation if it has been addressed in international code; requires commission to adopt code & amendments thereto, by minimum percentage of votes. Effective Date: July 1, 2017

PIFF Position: Monitoring

Legislative Actions: Now in Careers & Competition Subcommittee

Comparison Bill: SB 7000

HB 911- Relating to Insurance Adjusters

Representative Shaw

Summary: Revises requirements for certain insurance adjusters & adjusting firms to obtain licenses or appointments; revises certain insurance adjusters' scope of practice; requires primary adjuster to be designated at each adjusting firm & adjusting firm location. Effective Date: January 1, 2018

PIFF Position: Monitoring

Legislative Actions: Now in Insurance & Banking Subcommittee

Comparison Bill: HB 925, SB 986, SB 922

HB 913- Relating to Motor Vehicle Insurance Online Verification System

Representative Hardemon

Summary: Requires DHSMV to establish system for online verification of motor vehicle insurance; provides system requirements; requires insurers to cooperate with department in establishing & maintaining system; provides requirements relating to registration of motor vehicles to conform to changes made by act; provides requirements relating to reporting of insurance verification by insurers to conform to changes made by act. Effective Date: July 1, 2017

PIFF Position: Monitoring

Legislative Actions: Now in Transportation & Infrastructure Subcommittee

SB 922- Relating to Insurance Adjusters

Senator Rene Garcia

Summary: Insurance Adjusters; Revising applicability of the Licensing Procedures Law to include adjusting firms; prohibiting certain entities from acting as insurance adjusting firms without specified licenses; specifying that an unlicensed firm is subject to a certain administrative penalty, etc. Effective Date: 1/1/2018

PIFF Position: Monitoring

Legislative Actions: Referred to Banking and Insurance; Appropriations Subcommittee on General Government; Appropriations

Comparison Bill: HB 925, SB 986, HB 911

SB 925- Relating to Department of Financial Services

Representative Miller

Summary: Replaces Treasury Investment Committee with Treasury Investment Council; revises and provides requirements relating to the State Boiler Code, including installation of boilers, certification of boiler inspectors, state boiler inspection program, inspections & inspection reports, penalties against insurance carriers, boiler permits, & administrative fines; authorizes certain insurer employees to adjust specified claim losses or damage; removes scheduled expiration of requirement for insurers to permit claims from certain Holocaust victims; removes scheduled expiration of an exception from statutes of limitations or laches for certain actions brought by Holocaust victims; authorizes Division of State Fire Marshal to contract for certain studies; authorizes division to release confidential information of an individual firefighter or person in another fire-related field to certain parties; provides exceptions in tort claims against subdivision of state from certain requirements. Effective Date: July 1, 2017

PIFF Position: Monitoring

Legislative Actions: Now in Insurance and Banking Subcommittee

Comparison Bill: HB 911, SB 922, SB 986

SB 986- Relating to Department of Financial Services

Senator Stargel

Summary: Department of Financial Services; Replacing, within the Division of Treasury, the Treasury Investment Committee with the Treasury Investment Council; providing applicability of certain requirements relating to payments, warrants, and invoices to payments made in relation to certain agreements funded with federal or state assistance; requiring certification of boiler inspectors; authorizing the department to expend funds for professional development of its employees, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Referred Banking and Insurance; Appropriations Subcommittee on General Government; Appropriations

Comparison Bill: HB 911, SB 922, HB 925

SB 996- Relating to Administrative Proceedings

Senator Perry

Summary: Requiring an award of attorney fees and costs to be made to a prevailing party in specified administrative proceedings subject to certain requirements; requiring an administrative law judge to conduct an evidentiary hearing and issue a final order on application for such award, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Referred to Judiciary; Appropriations Subcommittee on General Government; Appropriations

Comparison Bill: HB 997

HB 1007- Relating to Insurer Anti-Fraud

Representative Raschein

Summary: Requires every insurer to designate at least one primary anti-fraud employee for certain purposes; requires certain insurers to adopt an anti-fraud plan; revises insurer requirements in providing anti-fraud information to DFS; requires anti-fraud plans & statistics to be filed annually with department; revises information to be provided by insurers who write workers' compensation insurance; requires insurer to provide annual anti-fraud training; requires insurers who submit application after specified date to comply with act; provides penalties for failure to submit annual anti-fraud statistical report; creates dedicated insurance fraud prosecutor program within department; provides procedures for applying for grant funds and for award of grants; requires DFS to submit annual report on program to Governor's Office & Legislature. Effective Date: July 1, 2017

PIFF Position: OPPOSE

Legislative Actions: Now in Insurance & Banking Subcommittee

Comparison Bill: SB 1014, SB 1012

Linked Bill: HB 1009

HB 1009- Relating to Pub. Rec./DFS/Insurance Fraud information

Representative Raschein

Summary: Requires every insurer to designate at least one primary anti-fraud employee for certain purposes; requires certain insurers to adopt an anti-fraud plan; revises insurer requirements in providing anti-fraud information to DFS; requires anti-fraud plans & statistics to be filed annually with department; revises information to be provided by insurers who write workers' compensation insurance; requires insurer to provide annual anti-fraud training; requires insurers who submit application after specified date to comply with act; provides penalties for failure to submit annual anti-fraud statistical report; creates dedicated insurance fraud prosecutor program within department; provides procedures for applying for grant funds and for award of grants; requires DFS to submit annual report on program to Governor's Office & Legislature. Effective Date: July 1, 2017

PIFF Position: OPPOSE

Legislative Actions: Now in Insurance & Banking Subcommittee

Comparison Bill: SB 1012, SB 1014

Linked Bill: HB 1007

SB 1012- Relating to Investigative and Forensic Services

Senator Brandes

Summary: Deleting the Justice Administrative Commission from a list of entities whose unencumbered or undisbursed funds appropriated from the Workers' Compensation Administration Trust Fund must be reverted to the trust fund at specified intervals; requiring insurers to designate primary anti-fraud employees; creating the Insurance Fraud Dedicated Prosecutor Program, etc. Effective Date: 7/1/2017

PIFF Position: OPPOSE

Legislative Actions: Referred Banking and Insurance, Appropriations Subcommittee on General Government; Appropriations

Comparison Bill: HB 1007, HB 1009

Linked Bill: SB 1012

SB 1014- Relating to Public records/Division of investigative and Forensic Services of the Department of Financial Services

Senator Brandes

Summary: Providing an exemption from public records requirements for certain information held by the Division of Investigative and Forensic Services of the Department of Financial Services, or the department, relating to insurer anti-fraud plans, descriptions, contracts, related documents, anti-fraud statistics, and information reported by insurers writing workers' compensation insurance; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc. Effective Date: On the same date that SB1012 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law

PIFF Position: Monitoring

Legislative Actions: Referred to Banking and Insurance; Governmental Oversight and Accountability; Appropriations

Comparison Bill: HB 1007, HB 1009

Linked Bill: SB 1012

HB 1029- Relating to Unfair Insurance Trade Practices

Representative Yarborough

Summary: Unfair Insurance Trade Practices: Revises provisions to permit licensed insurer or its agent to give advertising or promotional items under certain value. Effective Date: July 1, 2017

PIFF Position: SUPPORT

Legislative Actions: Now in Insurance & Banking Subcommittee

Comparison Bill: SB 1032

SB 1032- Relating to Unfair Insurance Trade Practices

Senator Mayfield

Summary: Revising provisions to permit a licensed insurer or its agent to give promotional or advertising items under a certain value, etc. Effective Date: 7/1/2017

PIFF Position: SUPPORT

Legislative Actions: Referred to Banking and Insurance; Commerce and Tourism; Rules

SB 1038- Relating to Assignment of Property Insurance Benefits

Senator Hukill

Summary: Prohibiting certain awards of attorney fees to certain persons or entities in suits based on claims arising under property insurance policies; providing that an assignment agreement is not valid unless specified conditions are met, etc. Effective Date: 7/1/2017

PIFF Position: SUPPORT

Legislative Actions: Referred to Banking and Insurance; Judiciary; Rules

HB 1063- Relating to Motor Vehicle Insurance

Representative Grall

Summary: Creates Financial Responsibility Law of 2017; revises security requirements & proof of such security for owners & operators of motor vehicles; provides conditions, requirements, & dispute procedures for medical payments coverage; repeals Florida Motor Vehicle No-Fault Law. Effective Date: January 1, 2018

PIFF Position: Monitoring

Legislative Actions: Now in Insurance and Banking Subcommittee

SB 1066- Relating to Autonomous Vehicles

Senator Brandes

Summary: Authorizing a person to engage autonomous technology to operate an autonomous vehicle in autonomous mode; providing that autonomous technology is deemed to be the operator of an autonomous vehicle operating in autonomous mode for purposes of determining compliance with traffic and motor vehicle laws, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Referred Transportation; Appropriation Subcommittee on Transportation, Tourism, and Economic Development; Appropriations

Comparison Bill: HB 725

SB 1067- Relating to Compensatory Damages for Injury or Death of Pet

Representative Moskowitz

Summary: Specifies liability for compensatory damages for injury or death of pets; provides applicability. Effective Date: July 1, 2017

PIFF Position: Monitoring

Legislative Actions: Now in Civil Justice & Claims Subcommittee

Comparison Bill: HB 497. SB 690, SB 1270

SB 1150- Relating to Regulations of Water Damage Restoration

Senator Artiles

Summary: Defining the terms professional water damage restorer and water damage restoration"; requiring the Department of Business and Professional Regulation to license applicants who are qualified to practice water damage restoration; specifying qualifications for licensure, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Referred to Regulated Industries; Banking and Insurance; Appropriations; Rules

Comparison Bill: SB 1218

SB 1218- Relating to Property Repair

Senator Farmer

Summary: Defining the terms professional water damage restorer and water damage restoration; requiring the Department of Business and Professional Regulation to license applicants who are qualified to practice water damage restoration; prohibiting personal lines residential or commercial residential property insurance policies from prohibiting the post-loss assignment of benefits, etc. Effective Date: 7/1/2017

PIFF Position: OPPOSE

Legislative Actions: Referred to Banking and Insurance; Regulated industries; Rules

Comparison Bill: SB 1150. HB 1421

SB 1242- Relating to Insurer Solvency

Senator Brandes

Summary: Providing exceptions from certain risk-based capital formulas for health organizations and for certain property and casualty insurers; requiring a notice and certain bills relating to certain costs of activities by the association to be given to member insurers, the Department of Financial Services, and the Office of Insurance Regulation within a specified timeframe; prohibiting an officer or director of a certain insolvent insurer or health maintenance organization from thereafter serving in certain capacities except under certain circumstances, etc. Effective Date: Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law

PIFF Position: Monitoring

Legislative Actions: Referred to Banking and Insurance; Judiciary; Rules

Comparison Bill: HB 1273

SB 1256- Relating to Motor Vehicle Insurance Online Verification System

Senator Campbell

Summary: Requiring the Department of Highway Safety and Motor Vehicles to establish a system for the online verification of motor vehicle insurance; providing system requirements; requiring insurers to cooperate with the department in establishing and maintaining the system, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Referred to Banking and Insurance; Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Appropriations; Rules

Comparison Bill: HB 913

SB 1268- Relating to Noneconomic Damage for Wrongful Death Suits

Senator Campbell

Summary: Repealing a provision relating to determination of noneconomic damages and limits on noneconomic damages, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Referred to Judiciary; Health Policy; Rules

HB 1273- Relating to Insurer Solvency

Representative Grant

Summary: Provides exceptions for certain health organizations & property & casualty insurers regarding risk-based capital; revises provisions relating to distribution of claims from insurer's estate; requires Florida Insurance Guaranty Association, Inc., to provide notice to member insurers & certain entities within specified period before assessing costs; provides requirements relating to assessments for payment of certain claims under long-term care insurance policies; revises applicability of certain laws to HMOs; prohibits former officer & directors of insolvent insurers from serving in such capacity under certain circumstances. Effective Date: upon becoming a law

PIFF Position: Monitoring

Legislative Actions: Filed

Comparison Bill: SB 1242

HB 1299- Relating to Preinsurance Inspection

Representative DuBose

Summary: Provides exception to requirement to inspect private passenger motor vehicles before issuing certain motor vehicle insurance policies; requires insurers using the exception to file a manual rule with OIR; authorizes insurers to establish their own preinsurance inspection requirements. Effective Date: July 1, 2017

PIFF Position: SUPPORT

Legislative Actions: Filed

Comparison Bill: SB 1316

SB 1316- Relating to Preinsurance Inspection

Senator Bracy

Summary: Provides exception to requirement to inspect private passenger motor vehicles before issuing certain motor vehicle insurance policies; requires insurers using the exception to file a manual rule with OIR; authorizes insurers to establish their own preinsurance inspection requirements. Effective Date: July 1, 2017

PIFF Position: SUPPORT

Legislative Actions: Filed

Comparison Bill: HB 1299

HB 1412- Relating to Prohibited Property Insurance Practices

Representative Broxson

Summary: Providing grounds for the discipline of licensees of various professions and occupations regulated by the Department of Business and Professional Regulation for certain referrals involving property insurance proceeds, for interpreting or advising on coverage or duties under a property insurance policy or adjusting a property insurance claim under certain circumstances, or for failing to provide a good faith estimate of the cost of services and materials for repairs subject to certain requirements, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Filed

SB 1582- Relating to Workers Compensation Insurance

Senator Bradley

Summary: Requiring carriers to authorize or decline, rather than respond to, certain requests for authorization within a specified time; revising conditions under which the Office of the Judges of Compensation Claims must dismiss petitions for benefits; adding prospective loss costs to a list of reviewable matters in certain proceedings by appellate courts; requiring copies of prospective loss costs to be filed with the Office of Insurance Regulation, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Filed

SB 1684- Relating to Insurance Rates

Senator Farmer

Summary: Providing that certain attorney fees, costs, and expenses may not be considered expenses by the Office of Insurance Regulation when the office is determining whether a rate is excessive, inadequate, or unfairly discriminatory; providing that certain attorney fees, costs, and expenses may not be included in an insurers rate base and may not be used to justify a rate or rate change, etc. Effective Date: 7/1/2017

PIFF Position: OPPOSE

Legislative Actions: Filed

Comparison Bill: SB 1746

SB 1742- Relating to Texting While Driving

Senator Rodriguez

Summary: Revising penalties for violations of the Florida Ban on Texting While Driving Law; providing enhanced penalties for such violations when committed in a school zone or school crossing; requiring each law enforcement agency in this state to adopt policies to prohibit the practice of racial profiling in the enforcement of this section, etc. Effective Date: 7/1/2017

PIFF Position: SUPPORT

Legislative Actions: Filed

Comparison Bill: HB 47, HB 69, SB 144

SB 1746- Relating to Insurance

Senator Flores

Summary: Deleting the cash build-up factor from the formula used by the State Board of Administration in determining reimbursement premiums to be paid into the Florida Hurricane Catastrophe Fund; requiring, rather than authorizing under certain circumstances, managing general agents to be examined as if they were the insurers on whose behalf they act; specifying the venue for civil actions concerning certain surplus lines property insurance policies, etc. Effective Date: 7/1/2017

PIFF Position: OPPOSE

Legislative Actions: Filed

Comparison Bill: HB 597, SB 1684, SB 1772

SB 1766- Relating to Motor Vehicle Insurance

Senator Lee

Summary: Repealing provisions which compose the Florida Motor Vehicle No-Fault Law; requiring certain motor vehicle liability insurance policies to include specified medical payments coverage; providing requirements, procedures, conditions, exclusions, prohibited acts, and construction relating to an insurers payment of medical payments coverage benefits, etc.

Effective Date: Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect January 1, 2018

PIFF Position: Monitoring

Legislative Actions: Filed

Comparison Bill: SB 156, HB 461, HB 1063, SB 1768

SB 1768- Relating to Public Record/Medical Payments Coverage and Liability Motor Vehicle Insurance Policies/Department of Highway Safety and Motor Vehicles

Senator Lee

Summary: Revising an exemption from public records requirements to exempt certain information held by the Department of Highway Safety and Motor Vehicles relating to medical payments coverage and liability motor vehicle insurance policies, rather than relating to personal injury protection and property damage liability insurance policies; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.

Effective Date: On the same date that SB 1766 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law

PIFF Position: Monitoring

Legislative Actions: Filed

Comparison Bill: HB 1063, SB 1776

SB 1772- Relating to Florida Hurricane Catastrophe Fund

Senator Lee

Summary: Adding specified coverage level options required in reimbursement contracts between the State Board of Administration and insurers writing policies in this state; deleting the actual costs paid due to applying the cash build-up factor as a basis for certain separate rate filings under certain circumstances by residential property insurers; deleting a provision authorizing Citizens Property Insurance Corporation to implement rate increases to reflect the effect of the cash build-up factor, etc. Effective Date: 1/1/2018

PIFF Position: Monitoring

Legislative Actions: Filed

Comparison Bill: HB 597, SB 1746

HB 3623- Relating to Autonomous Vehicle Deployment initiative

Representative Miller

Summary: Provides an appropriation for the Autonomous Vehicle Deployment Initiative. Effective Date: July 1, 2017

PIFF Position: Monitoring

Legislative Actions: Now in Transportation and Tourism Appropriations Subcommittee

HB 6009- Relating to Motorcycle Safety

Representative Hahnfeldt

Summary: Removes provisions authorizing certain persons over 21 years of age to operate/ride motorcycle without wearing protective headgear; provides penalties. Effective Date: July 1, 2017

PIFF Position: Supports increased safety requirements

Legislative Actions: Now in Transportation & Infrastructure Subcommittee

SB 7000- Relating to Florida Building Commission

Community Affairs

Summary: Requiring the commission to use the most recent published edition of the Florida Building Code as the foundation code; requiring the commission to review, rather than update, the Florida Building Code every 3 years; deleting a provision that specifies how long amendments or modifications to the foundation code remain effective, etc. Effective Date: 7/1/2017

PIFF Position: Monitoring

Legislative Actions: Referred to Appropriations Subcommittee on General Government; Appropriations

OTA4- Relating to OGSR/Office of Insurance Regulation

Oversight Transparency and Administration Subcommittee

Summary:

PIFF Position: Monitoring

Legislative Actions: Submitted as Committee Bill by Oversight, Transparency and Administration Subcommittee; 11 Yeas, 0 Nays