

Legislative Update

**Christine Ashburn, Chief of Communications, Legislative &
External Affairs**

Consumer Services Committee June 2022



- Creates a Reinsurance to Assist Policyholders (RAP) program within the Florida Hurricane Catastrophe Fund.
- Funds the My Safe Florida Program until October of 2024. The program will provide a \$2 to \$1 matching grant up to \$10,000 for mitigation features on homes with a replacement cost value of less than \$500K located in a wind born debris region.
- Requires that prohibited advertisements in Ch. 489 F.S., include three disclosures in a certain font size that advise consumers about certain acts of insurance fraud.
- Requires that a claimant must establish that an insurer has breached the contract before seeking extra contractual damages under bad faith.
- Prohibits attorney fees from being assigned or transferred to a third party (AOB).
- Allows for an optional roof deductible that is the lesser of 2% of coverage A or 50% the cost to replace the roof.

- Prohibits an insurer from refusing to insure or non-renew a roof less than 15 years in age solely because of the age of the roof.
- Requires that Insurers must inspect a non-hurricane loss within 45 days from notice of loss. Within 7 days of assigning an adjuster an insurer must provide upon request information relating to the adjuster assigned.
- Allows insurers to receive fees for suits dismissed for failure of the claimant to file a pre suite notice.
- Establishes a rare and exceptional standard for the attorney fee multiplier to apply in property suits.
- Clarifies what services fall under an AOB and requires the pre suit notice to be sent to the address outlined in the policy documents.
- Changes the requirement that a roof must be replaced if more than 25% of the roof covering is damaged – as long as the roof was built, repaired or replaced in compliance with the requirements of the 2007 Florida Building Code or any subsequent editions of the Florida Building Code.