



Week Nine – April 29 – May 4, 2019

On Saturday afternoon, the Senate and House of Representatives passed a \$91.1 billion budget and officially ended the 2019 Legislative Session. There were 1,675 general bills filed this Session with 174 reaching passage and being sent to the Governor for his approval.

While a record low number of bills passed the Legislature, the most important priority for Citizens did pass and will go to the Governor for his approval in the coming days. Ludwig Mies van der Rohe coined the phrase “less is more” and this appears to be the philosophy of the leaders in the Senate and House of Representatives this Session.

The following is a brief compilation of bills that passed of particular importance to Citizens and bills that failed.

Passed:

HB 7065 - Provides requirements and limitations for property insurance assignment agreements; providing a burden of proof; providing that an assignment agreement does not affect managed repair arrangements under a property insurance policy; providing that an acceptance by an assignee of an assignment agreement is a waiver by the assignee and its subcontractors of certain claims against an insured; specifying an insured's payment obligations under an assignment agreement; requiring notice of intent to initiate litigation, etc. Effective Date: July 1, 2019.

HB 301 - Revises reimbursement of loss adjustment expenses by Florida Hurricane Catastrophe Fund; revises requirements for workers' compensation insurance applications; provides right of contribution of certain liability insurers against other liability insurers for defense costs; removes provision that tolls period before civil action against insurer may be brought; specifies risk-based capital determination for certain insurers; removes cap on per-policy fees charged by filing surplus lines agent; authorizes reasonable per-policy fee charged by retail agent on surplus lines policies; reduces amount that must be collected from insureds before policies or binders are issued. Effective Date: July 1, 2019.

HB 1393 - Revises requirements for cemetery companies licenses, combination funeral director and embalmer internships, funeral establishments, embalming facilities, disposition of proceeds from preneed contracts, preneed contracts, direct disposal establishments, and cinerator facilities; requires preneed licensees to provide certain persons with written notice of intent to distribute funds under preneed contract; revises requirements for nonrenewable temporary license, lines insurance licenses, and nonresident public adjuster's licenses; authorizes luxury ground transportation network companies to elect to be regulated as transportation network companies; establishes Florida Blockchain Task Force. Effective Date: July 1, 2019.

HB 617 - Revises circumstances under which insurers issuing homeowners' insurance policies must include a specified statement relating to flood insurance with policy documents at initial issuance and renewals. Effective Date: July 1, 2019.

[HB 337](#) - Provides procedures for allowing Supreme Court justices to have designated a facility in their district as their official headquarters; provides for appellate jurisdiction of circuit courts; requires specified filing fees for appeals from certain county courts; increases jurisdictional limit for actions at law by county courts on specified dates; requires Office of State Courts Administrator to submit report relating to county court jurisdiction; provides county court civil filing fees for claims of specified values; provides for distribution of fees; revises levy of certain fees for mediation and arbitration services in certain county court cases; authorizes certain defendants to demand that court issue ruling related to proper court venue; provides for award of attorney fees and costs to prevailing party; authorizes court to transfer certain civil cases if specified criteria are met. Effective Date: July 1, 2019.

[HB 7021](#) - Requires Commission on Ethics to procure and test electronic filing system; provides requirements for system; provides duties of units of government, commission, and persons required to file specified form; requires forms to be electronically filed; prohibits information from being included in filings; provides that commission is not liable for release of information; requires commission to redact information; requires commission to include information in instructions for electronic filing; requires information be delivered electronically; revises schedule to State Constitution. Effective Date: Upon becoming a law.

Failed:

SB 1476 - Specifies a limit on annual rate increases for Monroe County. Reducing rate cap from 10 percent to 5 percent for two years.

HB 1 - Repeals provisions relating to state, state university, and community college employee lobbyists; prohibits certain public officers and employees from soliciting specified employment and contractual relationships; revises lobbyist registration, compensation report, principal designation cancellation, and investigation requirements.

HB 359 - Defines term "assignment agreement," specifies assignee requirements; requires assignee to meet certain conditions before filing suit; provides acceptance of assignment agreement constitutes waiver of certain claims.

HB 387 - Removes price cap on per-policy fees that surplus lines agents may charge for certain policies; removes requirement that surplus line agents file affidavit with Florida Surplus Lines Service Office; revises requirements for surplus lines agents' tax remittance to Florida Surplus Lines Service Office.

HB 541 - Redefines "catastrophic ground cover collapse" for insurance coverage purposes; provides circumstances under which structure or building damage constitutes specified loss.

HB 759 - Removes or revises numerous provisions relating to exemptions from public records requirements for trade secrets.

HB 761 - Provides exemption from public record requirements for trade secret held by agency; provides notice requirements; provides exception to exemption; provides that agency employee is not liable for release of records in compliance with act; provides applicability; provides for future legislative review and repeal of exemption; provides statement of public necessity.

HB 1011 – Defines “explosion” for purposes of Florida Insurance Code to include damages caused by mining and quarrying; requires all property insurance policies to provide explosion coverage.

News of Note – Week Nine

[Insurance-fraud ring put in dozens of phony claims on homes across Miami-Dade, police say](#)

Miami Herald

[Miami-Dade State Attorney Katherine Fernandez Rundle Announces Arrests In \\$600K Homeowners Insurance Scam](#)

CBS Miami

[Group cashed in on elaborate insurance scam for years, authorities say](#)

WPLG

['Operation Rubicon' Nets 9 Arrests in \\$600K Florida Insurance Fraud Scheme](#)

Insurance Journal

[AOB Abuse King Addresses His Army of Vendors, Vowing to Get Around the New Law](#)

Sunshine State News

[Jimmy Patronis, consumer advocates slam AOB rush as despicable, shameless](#)

Florida Politics

[Florida's Eye of the Lawsuit Storm](#)

Wall Street Journal

[A Quick First Look at Florida's New AOB Bill](#)

Insurance Journal

[Carriers better able to estimate loss costs after AOB reform: Fitch](#)

Reinsurance News

[Citizens: AOB reform could reduce Florida homeowners rate need by 15%](#)

Artemis

[Personnel note: Bo Rivard named to Citizens Insurance Board of Governors](#)

Florida Politics