

By the Committee on Judiciary; and Senator Fasano

308-1895-03

1 A bill to be entitled
2 An act relating to the rights of members of the
3 United States Armed Forces; amending s.
4 627.7283, F.S.; requiring an insurer to refund
5 the entire unearned premium to any member of
6 the United States Armed Forces who cancels a
7 policy under certain circumstances; providing
8 an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Subsection (5) is added to section
13 627.7283, Florida Statutes, to read:

14 627.7283 Cancellation; return of premium.--

15 (5) The insurer must refund 100 percent of the
16 unearned premium if the insured is a member of the United
17 States Armed Forces, whether an active or reserve member, who
18 cancels because he or she is called to active duty or
19 transferred by the United States Armed Forces to a location
20 where the insurance is not required. The insurer may require
21 a member of the United States Armed Forces to submit either a
22 copy of the official military orders or a written verification
23 signed by the member's commanding officer to support the
24 refund authorized under this subsection. If the insurer
25 cancels, the insurer must refund 100 percent of the unearned
26 premium. Cancellation is without prejudice to any claim
27 originating prior to the effective date of the cancellation.
28 For purposes of this subsection, unearned premiums must be
29 computed on a pro rata basis.

30 Section 2. This act shall take effect upon becoming a
31 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 570

Removes provisions regarding elimination of the payment of liquidated damages to a landlord when a tenant who is a United States Armed Forces member is required to move or dies during active duty.

Adds provision that provides for a 100 percent refund of the unearned automobile insurance premium when a United States Armed Forces member is called to active duty or is transferred to a location where the insurance is not required.