



340788

CHAMBER ACTION

Senate

House

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Floor: 6/F/2R
4/10/2008 11:05 AM



1 Senator Lawson moved the following **amendment**:

3 **Senate Amendment (with title amendment)**

4 Delete lines 1645-1701

5 and insert:

6 5. Effective January 1, 2009, a personal lines residential
7 structure that has a dwelling replacement cost of \$1 million or
8 more, or a single condominium unit that has a combined dwelling
9 and content replacement cost of \$1 million or more is not
10 eligible for coverage by the corporation. Such dwellings insured
11 by the corporation on December 31, 2008, may continue to be
12 covered by the corporation until the end of the policy term.
13 However, such dwellings that are insured by the corporation and
14 become ineligible for coverage due to the provisions of this
15 subparagraph may reapply and obtain coverage in the high-risk
16 account and be considered "nonhomestead property" if the property
17 owner provides the corporation with a sworn affidavit from one or



340788

18 | more insurance agents, on a form provided by the corporation,  
19 | stating that the agents have made their best efforts to obtain  
20 | coverage and that the property has been rejected for coverage by  
21 | at least one authorized insurer and at least three surplus lines  
22 | insurers. If such conditions are met, the dwelling may be insured  
23 | by the corporation for up to 3 years, after which time the  
24 | dwelling is ineligible for coverage. The office shall approve the  
25 | method used by the corporation for valuing the dwelling  
26 | replacement cost for the purposes of this subparagraph. If a  
27 | policyholder is insured by the corporation prior to being  
28 | determined to be ineligible pursuant to this subparagraph and  
29 | such policyholder files a lawsuit challenging the determination,  
30 | the policyholder may remain insured by the corporation until the  
31 | conclusion of the litigation.

32 |         6. For properties constructed on or after January 1, 2009,  
33 | the corporation may not insure any property located within 2,500  
34 | feet landward of the coastal construction control line created  
35 | pursuant to s. 161.053 unless the property meets the requirements  
36 | of the code-plus building standards developed by the Florida  
37 | Building Commission.

38 |         7. It is the intent of the Legislature that policyholders,  
39 | applicants, and agents of the corporation receive service and  
40 | treatment of the highest possible level but never less than that  
41 | generally provided in the voluntary market. It also is intended  
42 | that the corporation be held to service standards no less than  
43 | those applied to insurers in the voluntary market by the office  
44 | with respect to responsiveness, timeliness, customer courtesy,  
45 | and overall dealings with policyholders, applicants, or agents of  
46 | the corporation.



340788

47 | 8. Effective January 1, 2009, a personal lines residential  
48 | structure that is located in the "wind-borne debris region," as  
49 | defined in s. 1609.2, International Building Code (2006), and  
50 | that has an insured value on the structure of \$750,000 or more is  
51 | not eligible for coverage by the corporation unless the structure  
52 | has opening protections as required under the Florida Building  
53 | Code for a newly constructed residential structure in that area.  
54 | A residential structure shall be deemed to comply with the  
55 | requirements of this subparagraph if it has shutters or opening  
56 | protections on all openings and if such opening protections  
57 | complied with the Florida Building Code at the time they were  
58 | installed. Effective January 1, 2011, the requirements of this  
59 | subparagraph apply to a personal lines residential structure that  
60 | is located in the wind-borne debris region and that has an  
61 | insured value on the structure of \$500,000 or more.

62 |  
63 | ===== T I T L E A M E N D M E N T =====

64 | And the title is amended as follows:

65 | Delete lines 136-139

66 | and insert:

67 | dwellings as "nonhomestead property"; requiring certain