

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Bogdanoff offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 3832 and 3833, insert:

5 Section 30. Subsection (13) of section 634.282, Florida  
6 Statutes, is amended to read:

7 634.282 Unfair methods of competition and unfair or  
8 deceptive acts or practices defined.—The following methods,  
9 acts, or practices are defined as unfair methods of competition  
10 and unfair or deceptive acts or practices:

11 (13) ILLEGAL DEALINGS IN PREMIUMS; EXCESS OR REDUCED  
12 CHARGES FOR MOTOR VEHICLE SERVICE AGREEMENTS.—

13 (a) Knowingly collecting any sum as a premium or charge  
14 for a motor vehicle service agreement, which is not then  
15 provided, or is not in due course to be provided, subject to  
16 acceptance of the risk by a service agreement company or an  
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17 insurer, by a motor vehicle service agreement issued by a  
18 service agreement company or an insurer as permitted by this  
19 part.

20 (b) Knowingly collecting as a premium or charge for a  
21 motor vehicle service agreement any sum in excess of or less  
22 than the premium or charge applicable to such motor vehicle  
23 service agreement, ~~in accordance with the applicable~~  
24 ~~classifications and rates as filed with the office, and as~~  
25 specified in the motor vehicle service agreement. However, there  
26 is no violation of this section or s. 634.1216 if excess  
27 premiums or charges are refunded to the service agreement holder  
28 within 45 days after receipt of the agreement by the service  
29 agreement company or if the licensed sales representative's  
30 commission is reduced by the amount of any premium undercharge.

31  
32 No provision of this section shall be deemed to prohibit a  
33 service agreement company or a licensed insurer from giving to  
34 service agreement holders, prospective service agreement  
35 holders, and others for the purpose of advertising, any article  
36 of merchandise having a value of not more than \$25.

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40 **T I T L E A M E N D M E N T**

41 Between lines 268 and 269, insert:  
42 amending s. 634.282, F.S.; revising provisions relating to the  
43 refund of excess premiums or charges;