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Committee/Subcommittee hearing bill: Appropriations  
Committee on Agriculture, Environment, and General  
Government

Senator \_\_\_\_\_ offered the following:

**Amendment (with title amendment)**

Delete everything after the enacting clause and  
insert:

**Section 1. Paragraph (oo) is added to subsection (6)  
of section 627.351, Florida Statutes, to read:**

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(oo) For commercial residential and commercial  
nonresidential risks, if an approved surplus lines  
clearinghouse insurer offers coverage under s.  
627.3518(5)(c)2. and the total cost of such coverage is not  
more than 20 percent greater than the total cost of  
insurance coverage from the corporation, the corporation may  
not issue or renew coverage. The total cost of insurance  
coverage includes, but is not limited to, the premium, fees,  
and surcharges.

Section 2. Section 627.3518, Florida Statutes, is  
amended to read:

**Coding: Words ~~stricken~~ are deletions; words underlined are  
additions.**

27 627.3518 Citizens Property Insurance Corporation  
28 policyholder eligibility clearinghouse program.—The purpose  
29 of this section is to provide a framework for the  
30 corporation to implement a clearinghouse program ~~by January~~  
31 ~~1, 2014.~~

32 (1) As used in this section, the term:

33 (a) "Authorized Insurer" means an insurer authorized to  
34 act as an insurer by a subsisting certificate of authority  
35 issued to the insurer by the office.

36 (b) "Approved surplus lines clearinghouse insurer"  
37 means an eligible surplus lines insurer that has a  
38 financial strength rating of "A-" or higher and a financial  
39 size category of A-VII or higher from A.M. Best Company  
40 which the office approves for its exclusive participation  
41 in the commercial lines clearinghouse.

42 (c) "Commercial lines clearinghouse administrator"  
43 means either:

44 1. the corporation, or  
45 2. if authorized in the corporation's plan of  
46 operation, the individual or entity employed or otherwise  
47 contracted by the corporation and approved by the office to  
48 provide administrative or professional services to  
49 implement the commercial lines clearinghouse required  
50 pursuant to subparagraph (2) (b) within the corporation as  
51 set forth in paragraph (3) (b).

52 (d) "Comparable Coverage" means, at a minimum, that  
53 the offer of coverage, without endorsements, includes the

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54 same major covered perils at substantially similar levels  
55 of coverage as that already provided by Citizens, as  
56 required by s. 627.351(6)(c)5.d., F.S. These coverages must  
57 be comparable without additional terms or endorsements.

58 (e) "Corporation" means Citizens Property Insurance  
59 Corporation.

60 (f) ~~(b)~~ "Exclusive agent" means any licensed insurance  
61 agent that has, by contract, agreed to act exclusively for  
62 one company or group of affiliated insurance companies and  
63 is disallowed by 98 the provisions of that contract to  
64 directly write for any other unaffiliated insurer absent  
65 express consent from the company or group of affiliated  
66 insurance companies.

67 (g) ~~(e)~~ "Independent agent" means any licensed  
68 insurance agent not described in paragraph (j) ~~(b)~~.

69 (h) "Primary residence" has the same meaning as in s.  
70 627.351(6)(c)2.a.

71 (i) ~~(d)~~ "Program" means the clearinghouses created  
72 under this section, consisting of the personal lines  
73 clearinghouse and the commercial lines clearinghouse.

74 (j) "Surplus lines agent" means an insurance agent  
75 licensed pursuant to s. 626.927 or s. 626.9272.

76 (2) (a) The corporation shall establish a personal  
77 lines clearinghouse ~~in order~~ to confirm an applicant's  
78 eligibility with the corporation, ~~and~~ to enhance access of  
79 new applicants for personal lines coverage and existing  
80 personal lines policyholders of the corporation to offers of

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81 | coverage from authorized insurers, and the corporation shall  
82 | ~~establish a program for personal residential risks in order~~  
83 | to facilitate the diversion of ineligible applicants and  
84 | existing policyholders from the corporation into the  
85 | voluntary insurance market.

86 |       (b) The corporation shall implement on or before  
87 | January 1, 2027, a commercial lines clearinghouse in order  
88 | to enhance access to offers of coverage from authorized  
89 | insurers and approved surplus lines clearinghouse insurers  
90 | for new applicants for commercial residential coverage and  
91 | commercial nonresidential coverage and existing commercial  
92 | residential and commercial nonresidential policyholders of  
93 | the corporation. appropriate procedures for facilitating the  
94 | ~~diversion of ineligible applicants and existing~~  
95 | ~~policyholders for commercial residential coverage into the~~  
96 | ~~private insurance market and shall report such procedures to~~  
97 | ~~the President of the Senate and the Speaker of the House of~~  
98 | ~~Representatives by January 1, 2014.~~

99 |       (3) The corporation board shall establish the  
100 | ~~clearinghouse program as an organizational unit within the~~  
101 | corporation as authorized in its plan of operation. The  
102 | program shall have all the rights and responsibilities in  
103 | carrying out its duties as a licensed general lines agent  
104 | and a surplus lines agent, but may not be required to employ  
105 | or engage a licensed general lines agent or a surplus lines  
106 | agent, or to maintain an insurance agency license to carry  
107 | out its activities in the solicitation and placement of

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108 insurance coverage. In establishing the program, the  
109 corporation has all of the following rights and  
110 responsibilities ~~may~~:

111 (a) May require all new applications for personal  
112 lines coverage, and all personal lines policies due for  
113 renewal, to be submitted for coverage to the program in  
114 order to facilitate obtaining an offer of coverage from an  
115 authorized insurer or, if the risk is a commercial risk,  
116 shall require all new applications for commercial lines  
117 coverage, and all commercial lines policies due for renewal,  
118 to be initially submitted for coverage through the commercial  
119 clearinghouse as a single point of intake for both the  
120 corporation and the program in order to facilitate obtaining  
121 an offer of coverage from an **authorized insurer or** approved  
122 surplus lines clearinghouse insurer, before binding or  
123 renewing coverage by the corporation.

124 (b) Shall establish and maintain the operational  
125 systems and procedures necessary to implement the program.

126 (c) May employ or otherwise contract with individuals  
127 or other entities for appropriate administrative or  
128 professional services to effectuate the plan within the  
129 corporation in accordance with the applicable purchasing  
130 requirements under s. 627.351 and, for purposes of  
131 implementing the commercial lines clearinghouse and  
132 providing offers of coverage from approved surplus lines  
133 clearinghouse insurers on or before January 1, 2027,

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134 contract with such individuals or entities in accordance  
135 with **chapter 287, F.S.**

136 (d) ~~(e)~~ May enter into contracts with any authorized  
137 insurer and any approved surplus lines clearinghouse insurer  
138 to participate in the program and accept an appointment by  
139 such insurer.

140 (e) ~~(d)~~ May provide funds to operate the program.  
141 Insurers and agents participating in the program are not  
142 required to pay a fee to offset or partially offset the cost  
143 of the program or use the program for renewal of policies  
144 initially written through the clearinghouse. Notwithstanding  
145 this paragraph, the commercial lines clearinghouse  
146 administrator **may seek approval from the office** to charge  
147 approved surplus lines clearinghouse insurers and surplus  
148 lines agents participating in the program **fair and**  
149 reasonable transaction, technology, administration, and  
150 other similar fees. **All fees or amounts charged by the**  
151 **commercial lines clearinghouse administrator must be**  
152 **itemized in the declarations and may not exceed \$100 USD**  
153 **per policy in the aggregate.**

154 (f) ~~(e)~~ May develop an enhanced application that  
155 includes information to assist **authorized insurers or**  
156 **approved surplus lines clearinghouse insurers** in determining  
157 whether to make an offer of coverage through the program.

158 (g) ~~(f)~~ For personal lines residential risks, may  
159 require that, before approving all new applications for  
160 coverage by the corporation, ~~that~~ every application be

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161 subject to a period of 2 business days when any insurer  
162 participating in the program may select the application for  
163 coverage. For commercial lines residential and commercial  
164 lines nonresidential risks, the corporation may require,  
165 before approving all new applications for commercial lines  
166 coverage by the corporation, that every application be  
167 subject to a period of 5 business days when any insurer  
168 participating in the program may select the application for  
169 coverage. The insurer may issue a binder on any policy  
170 selected for coverage for a period of at least 30 days but  
171 not more than 60 days.

172 (h) Shall, in creating the commercial lines  
173 clearinghouse, if approved by the office and authorized in  
174 its plan of operation, establish criteria to determine the  
175 capabilities necessary for an employed or contracted  
176 commercial lines clearinghouse administrator. For  
177 facilitating offers of surplus lines coverage, such criteria  
178 must include:

179 1. Florida-based operations and jurisdiction over disputes  
180 and the ability to facilitate, free of all potential  
181 conflicts of interest, all approved surplus lines  
182 clearinghouse insurers to participate in the commercial  
183 lines clearinghouse on terms established by the corporation,  
184 and other criteria that the corporation determines necessary  
185 to effectively establish, administer, and manage offers of  
186 surplus lines coverage through the commercial lines  
187 clearinghouse.

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188 (i) Shall serve as or select a commercial lines  
189 clearinghouse administrator within 90 days after the  
190 effective date of this Act, if authorized in the  
191 corporation's plan of operation. A selected commercial lines  
192 clearinghouse administrator must apply to the office for an  
193 order authorizing the commercial lines clearinghouse  
194 administrator to administer the commercial lines  
195 clearinghouse for a period not to exceed three years.

196 (j) May allow the commercial lines clearinghouse  
197 administrator to establish procedures and account clearance  
198 requirements the commercial lines clearinghouse  
199 administrator deems necessary to ensure an orderly process  
200 for offers of coverage to be provided by authorized insurers  
201 or approved surplus lines clearinghouse insurers  
202 participating in the commercial lines clearinghouse and to  
203 avoid multiple offers of coverage from the same insurer for  
204 the same risk.

205 (k) Must submit to the commercial lines clearinghouse  
206 administrator its coverage terms and conditions, deductible  
207 structures, and its unalterable indicated total cost of  
208 insurance coverage, which must include, but is not limited  
209 to, the premium, fees, surcharges, and applicable taxes for  
210 the subject risk before any approved surplus lines  
211 clearinghouse insurer is provided a submission for coverage  
212 pursuant to the program by any applicant for new coverage  
213 from the corporation or any policyholder of the corporation.  
214 The commercial lines clearinghouse administrator shall

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215 provide the corporation's unalterable indicated coverage  
216 terms and conditions and deductible structures, but may not  
217 provide the indicated total cost of corporation insurance  
218 coverage, to the approved surplus lines clearinghouse  
219 insurers participating in the program. The commercial lines  
220 clearinghouse administrator shall then use the corporation's  
221 unalterable indication to determine whether any offers of  
222 coverage from approved surplus lines clearinghouse insurers  
223 satisfy the requirements set forth in s. 627.351(6) (oo) and  
224 subparagraph (5) (c)2. The corporation may not bind or  
225 otherwise communicate, indicate, or make an offer of  
226 coverage to an applicant or policyholder, or its agent, or  
227 otherwise accept coverage until 5 business days have elapsed  
228 from the date that it provided its unalterable indication to  
229 the commercial lines clearinghouse administrator unless the  
230 time limit is waived in writing. Any change to the  
231 corporation's coverage terms and conditions, deductible  
232 structures, or indicated total cost of insurance coverage  
233 constitutes a new submission by the corporation under this  
234 paragraph. The validation period described in this paragraph  
235 applies regardless of any proposed effective date, renewal  
236 date, or expiration date of the policy and may not be  
237 shortened or bypassed based on timing considerations  
238 relating to binding or renewal.

239 (4) Any authorized insurer may participate in the  
240 program; however, participation is not mandatory for any  
241 insurer. Approved surplus lines clearinghouse insurers may

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242 participate in the commercial lines clearinghouse but may  
243 not participate in the personal lines clearinghouse;  
244 however, participation in the program is not mandatory for  
245 any surplus lines insurer. Insurers making offers of  
246 coverage to new applicants or renewal policyholders through  
247 the program:

248 (a) May not be required to individually appoint any  
249 agent whose customer is underwritten and bound through the  
250 program. Notwithstanding s. 626.112, insurers are not  
251 required to appoint any agent on a policy underwritten  
252 through the program for as long as that policy remains with  
253 the insurer. May, at their election, appoint any agent or  
254 surplus lines agent whose direct or indirect customer is  
255 initially underwritten and bound through the program. In the  
256 event an insurer accepts a policy from an agent who is not  
257 appointed pursuant to this paragraph, and thereafter elects to  
258 accept a policy from such agent, the provisions of s. 626.112  
259 requiring appointment apply to the agent.

260 (b) Must enter into a limited agency agreement with  
261 each agent or surplus lines agent that is not appointed in  
262 accordance with paragraph (a) and whose direct or indirect  
263 customer is underwritten and bound through the program. In  
264 addition, a surplus lines agent that enters into a limited  
265 agency or broker agreement with an approved surplus lines  
266 clearinghouse insurer making an offer of coverage through  
267 the program must also enter into a limited agency or broker

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268 agreement with each producing agent whose customer is  
269 underwritten and bound through the program.

270 (c) Must enter into its standard agency agreement with  
271 each agent or surplus lines agent whose direct or indirect  
272 customer is underwritten and bound through the program when  
273 that agent or surplus lines agent has been appointed by the  
274 insurer pursuant to s. 626.112. In addition, a surplus lines  
275 agent that enters into a limited agency or broker agreement  
276 with an approved surplus lines clearinghouse insurer making  
277 an offer of coverage through the program must also enter  
278 into a limited agency or broker agreement with each  
279 producing agent whose customer is underwritten and bound  
280 through the program.

281 (d) Must comply with s. 627.4133(2) or, if the insurer  
282 is an approved surplus lines clearinghouse insurer, s.  
283 626.9201.

284 (e) May participate through their single-designated  
285 managing general agent or broker or surplus lines agent;  
286 however, the provisions of paragraph (6) (a) regarding  
287 ownership, control, and use of the expirations continue to  
288 apply.

289 (f) For authorized insurers, must pay to the producing  
290 agent a commission equal to that paid by the corporation or  
291 the usual and customary commission paid by the insurer for  
292 that line of business, whichever is greater.

293 (g) The surplus lines agent, managing general agent, or  
294 managing general underwriter must pay the producing agent a

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295 commission, calculated in the same manner and on the same  
296 basis used by the corporation, subject to total commission  
297 amount for all intermediaries not to exceed 7.5% of the  
298 total cost of insurance coverage.

299 (5) (a) Notwithstanding s. 627.3517, any applicant for  
300 new personal lines coverage from the corporation is not  
301 eligible for coverage from the corporation if provided an  
302 offer of comparable coverage from an authorized insurer  
303 through the program at a premium that is at or below the  
304 eligibility threshold for applicants for new coverage of a  
305 primary residence established in s. 627.351(6)(c)5.a., or  
306 for applicants for new coverage of a risk that is not a  
307 primary residence established in s. 627.351(6)(c)5.b.  
308 Whenever an offer of comparable coverage for a personal  
309 lines risk is received for a policyholder of the corporation  
310 at renewal from an authorized insurer through the program  
311 which is at or below the eligibility threshold for primary  
312 residences of policyholders of the corporation established  
313 in s. 627.351(6)(c)5.a., or the eligibility threshold for  
314 risks that are not primary residences of policyholders of  
315 the corporation established in s. 627.351(6)(c)5.b., the  
316 risk is not eligible for coverage with the corporation. In  
317 the event an offer of coverage for a new applicant is  
318 received from an authorized insurer through the program, and  
319 the premium offered exceeds the eligibility threshold for  
320 applicants for new coverage of a primary residence  
321 established in s. 627.351(6)(c)5.a., or the eligibility

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322 threshold for applicants for new coverage on a risk that is  
323 not a primary residence established in s. 627.351(6)(c)5.b.,  
324 the applicant or insured may elect to accept such coverage,  
325 or may elect to accept or continue coverage with the  
326 corporation. In the event an offer of coverage for a  
327 personal lines risk is received from an authorized insurer  
328 at renewal through the program, and the premium offered  
329 exceeds the eligibility threshold for primary residences of  
330 policyholders of the corporation established in s.  
331 627.351(6)(c)5.a., or exceeds the eligibility threshold for  
332 risks that are not primary residences of policyholders of  
333 the corporation established in s. 627.351(6)(c)5.b., the  
334 insured may elect to accept such coverage, or may elect to  
335 accept or continue coverage with the corporation. Section  
336 627.351(6)(c)5.a.(I) and b.(I) does not apply to an offer of  
337 coverage from an authorized insurer obtained through the  
338 program. ~~As used in this subsection, the term "primary~~  
339 ~~residence" has the same meaning as in s. 627.351(6)(c)2.a.~~  
340 (b) Any applicant for new commercial lines residential  
341 coverage from the corporation is not eligible for coverage  
342 from the corporation if provided an offer of comparable  
343 coverage from an authorized insurer through the program at a  
344 premium that is at or below the eligibility threshold for  
345 applicants for new coverage established in s.  
346 627.351(6)(c)5.c. Whenever an offer of comparable coverage  
347 for a commercial lines residential risk is received for a  
348 policyholder of the corporation at renewal from an

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349 authorized insurer through the program which is at or below  
350 the eligibility threshold in s. 627.351(6)(c)5.c., the risk  
351 is not eligible for coverage from the corporation. In the  
352 event that an offer of coverage for a new applicant is  
353 received from an authorized insurer through the program, and  
354 the premium offered exceeds the eligibility threshold  
355 established in s. 627.351(6)(c)5.c., the applicant or  
356 insured may elect to accept such coverage or may elect to  
357 accept or continue coverage with the corporation. In the  
358 event that an offer of coverage for a commercial lines  
359 residential risk is received from an authorized insurer at  
360 renewal through the program, and the premium offered exceeds  
361 the eligibility threshold for policyholders of the  
362 corporation established in s. 627.351(6)(c)5.c., the insured  
363 may elect to accept such coverage or may elect to accept or  
364 continue coverage with the corporation. Section  
365 627.351(6)(c)5.c.(I) does not apply to an offer of coverage  
366 from an authorized insurer obtained through the program.  
367 (c)1. Except as provided in subparagraph 2., any  
368 applicant for new commercial lines residential coverage or  
369 commercial lines nonresidential coverage from the  
370 corporation and any policyholder of the corporation, when  
371 such applicant or corporation policyholder is offered  
372 commercial lines residential or commercial lines  
373 nonresidential coverage pursuant to the program by an  
374 approved surplus lines clearinghouse insurer, remains  
375 eligible for coverage from the corporation. The applicant or

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376 policyholder receiving an offer from an approved surplus  
377 lines clearinghouse insurer may elect to accept such  
378 coverage or may elect to accept or continue coverage with  
379 the corporation.

380 2. Any applicant for new commercial lines residential  
381 coverage or commercial lines nonresidential coverage from  
382 the corporation and any policyholder of the corporation,  
383 when such applicant or corporation policyholder is offered  
384 commercial lines residential or commercial lines  
385 nonresidential coverage by a **single** approved surplus lines  
386 clearinghouse insurer pursuant to the program and such  
387 offered coverage has material terms and conditions that are  
388 equivalent to or better than coverage from the corporation  
389 as to all aspects of such coverage, as determined by the  
390 corporation through the clearinghouse process and applicable  
391 program standards, and the total cost of such insurance  
392 coverage is not more than 20 percent greater than the total  
393 cost of insurance coverage from the corporation, may elect  
394 to accept such coverage from the approved surplus lines  
395 clearinghouse insurer or may elect to accept or continue  
396 coverage with the corporation, but, if electing corporation  
397 coverage, such applicant or policyholder must pay a premium  
398 for corporation coverage that is subject to s.  
399 627.351(6) (oo). **Fronting is prohibited.**

400 3. Section 627.351(6) (c)5.c.(I) does not apply to an  
401 offer of coverage from an approved surplus lines  
402 clearinghouse insurer obtained through the program.

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403 (6) Independent insurance agents submitting new  
404 applications for coverage or that are the agent of record on  
405 a renewal policy submitted to the program:

406 (a) Are granted and must maintain ownership and the  
407 exclusive use of expirations, records, or other written or  
408 electronic information directly related to such applications  
409 or renewals written through the corporation or through an  
410 insurer participating in the program, notwithstanding s.  
411 627.351(5) (a), s. 627.351(6) (c) 5.a. (I) (B) and (II) (B), or s.  
412 627.351(6) (c) 5.b. (I) (B) and (II) (B). Such ownership is  
413 granted for as long as the insured remains with the agency  
414 or until sold or surrendered in writing by the agent.  
415 Contracts with the corporation or required by the  
416 corporation or with any insurer or surplus lines agent may  
417 ~~must~~ not amend, modify, interfere with, or limit such rights  
418 of ownership. Such expirations, records, or other written or  
419 electronic information may be used to review an application,  
420 issue a policy, or for any other purpose necessary for  
421 placing such business through the program.

422 (b) May not be required to be appointed by any insurer  
423 participating in the program for policies written solely  
424 through the program, notwithstanding the provisions of s.  
425 626.112.

426 (c) May accept an appointment from any insurer  
427 participating in the program.

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428 (d) May enter into either a standard or limited agency  
429 agreement with the insurer, at the insurer's option, and may  
430 enter into agreements with a surplus lines agent.

431

432 Applicants ineligible for coverage in accordance with  
433 subsection (5) remain ineligible if their independent agent  
434 is unwilling or unable to enter into a standard or limited  
435 agency agreement with an insurer participating in the  
436 program.

437 (7) Exclusive agents submitting new applications for  
438 coverage or that are the agent of record on a renewal  
439 policy submitted to the program:

440 (a) Must maintain ownership and the exclusive use of  
441 expirations, records, or other written or electronic  
442 information directly related to such applications or  
443 renewals written through the corporation or through an  
444 insurer participating in the program, notwithstanding s.  
445 627.351(6)(c)5.a.(I)(B) and (II)(B) or s.  
446 627.351(6)(c)5.b.(I)(B) and (II)(B). Contracts with the  
447 corporation or required by the corporation must not amend,  
448 modify, interfere with, or limit such rights of ownership.  
449 Such expirations, records, or other written or electronic  
450 information may be used to review an application, issue a  
451 policy, or for any other purpose necessary for placing such  
452 business through the program.

453 (b) May not be required to be appointed by any insurer  
454 participating in the program for policies written solely

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455 through the program, notwithstanding the provisions of s.  
456 626.112.

457 (c) Must only facilitate the placement of an offer of  
458 coverage from an insurer whose limited servicing  
459 agreement is approved by that exclusive agent's exclusive  
460 insurer.

461 (d) May enter into a limited servicing agreement with  
462 the insurer making an offer of coverage, and only after the  
463 exclusive agent's insurer has approved the limited  
464 servicing agreement terms. The exclusive agent's insurer  
465 must approve a limited service agreement for the program  
466 for any insurer for which it has approved a service  
467 agreement for other purposes.

468  
469 Applicants ineligible for coverage in accordance with  
470 subsection (5) remain ineligible if their exclusive agent  
471 is unwilling or unable to enter into a standard or limited  
472 agency agreement with an insurer making an offer of  
473 coverage to that applicant.

474 (8) Submission of an application for coverage by the  
475 corporation to the program does not constitute the binding  
476 of coverage by the corporation, and failure of the program  
477 to obtain an offer of coverage by an insurer may not be  
478 considered acceptance of coverage of the risk by the  
479 corporation.

480 (9) The 45-day notice of nonrenewal requirement set  
481 forth in s. 627.4133(2)(b)5. applies when a policy is

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482 nonrenewed by the corporation because the risk has received  
483 an offer of coverage pursuant to this section which renders  
484 the risk ineligible for coverage by the corporation.

485 ~~(10) The program may not include commercial~~  
486 ~~nonresidential policies.~~

487 ~~(11)~~ Proprietary business information provided to the  
488 corporation's clearinghouse by insurers with respect to  
489 identifying and selecting risks for an offer of coverage is  
490 confidential and exempt from s. 119.07(1) and s. 24(a),  
491 Art. I of the State Constitution.

492 (a) As used in this subsection, the term "proprietary  
493 business information" means information, regardless of form  
494 or characteristics, which is owned or controlled by an  
495 insurer and:

496 1. Is identified by the insurer as proprietary  
497 business information and is intended to be and is treated  
498 by the insurer as private in that the disclosure of the  
499 information would cause harm to the insurer, an individual,  
500 or the company's business operations and has not been  
501 disclosed unless disclosed pursuant to a statutory  
502 requirement, an order of a court or administrative body, or  
503 a private agreement that provides that the information will  
504 not be released to the public;

505 2. Is not otherwise readily ascertainable or publicly  
506 available by proper means by other persons from another  
507 source in the same configuration as provided to the  
508 clearinghouse; and

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509 3. Includes:  
510 a. Trade secrets, as defined in s. 688.002.  
511 b. Information relating to competitive interests, the  
512 disclosure of which would impair the competitive business  
513 of the provider of the information.

514  
515 Proprietary business information may be found in  
516 underwriting criteria or instructions which are used to  
517 identify and select risks through the program for an offer  
518 of coverage and are shared with the clearinghouse to  
519 facilitate the shopping of risks with the insurer.

520 (b) The clearinghouse may disclose confidential and  
521 exempt proprietary business information:

- 522 1. If the insurer to which it pertains gives prior  
523 written consent;
- 524 2. Pursuant to a court order; or
- 525 3. To another state agency in this or another state or  
526 to a federal agency if the recipient agrees in writing to  
527 maintain the confidential and exempt status of the  
528 document, material, or other information and has verified  
529 in writing its legal authority to maintain such  
530 confidentiality.

531 **Section 3. This act shall take effect upon becoming a**  
532 **law.**

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**Coding: Words ~~stricken~~ are deletions; words underlined are additions.**

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**TITLE AMENDMENT**  
Delete everything before the enacting clause and  
insert:  
A bill to be entitled  
An act relating to the Citizens Property Insurance  
Corporation; amending s. 627.351, F.S.; prohibiting the  
corporation from issuing or renewing coverage for  
commercial residential and commercial nonresidential risks  
under certain circumstances; providing applicability;  
specifying the components of the total cost of insurance  
coverage; specifying that certain adjustments expire at a  
specified time; amending s. 627.3518, F.S.; deleting an  
obsolete provision; defining terms; revising the definition  
of the term "program"; requiring the corporation to  
establish a personal lines clearinghouse for specified  
purposes; requiring, on or before a specified date, the  
corporation to implement a commercial lines clearinghouse  
for a specified purpose; authorizing the corporation to  
develop and implement a separate commercial lines  
clearinghouse for specified purposes; providing for  
approval of the corporation's plan of operation; deleting  
obsolete provisions; revising the program's rights and  
responsibilities; revising the rights and responsibilities  
the corporation has in establishing the program;  
authorizing approved surplus lines clearinghouse insurers  
to participate in the commercial lines clearinghouse;

**Coding: Words ~~stricken~~ are deletions; words underlined are additions.**

563 prohibiting such insurers from participating in the  
564 personal lines clearinghouse; specifying that participation  
565 in the program is not mandatory for such insurers; revising  
566 prohibitions and requirements for insurers making offers of  
567 coverage to new applicants or renewal policyholders through  
568 the program; providing construction; specifying that  
569 applicants for new commercial lines residential coverage  
570 are not eligible for coverage from the corporation under  
571 certain circumstances; specifying the circumstances under  
572 which policyholders of the corporation are not eligible for  
573 new commercial lines residential coverage from the  
574 corporation; authorizing applicants or insureds to elect to  
575 accept coverage with authorized insurers or elect to accept  
576 or continue coverage with the corporation under certain  
577 circumstances; authorizing insureds to elect to accept  
578 coverage with specified insurers or elect to accept or  
579 continue coverage with the corporation under certain  
580 circumstances; providing applicability; specifying that  
581 certain applicants and policyholders remain eligible for  
582 coverage from the corporation; authorizing such applicants  
583 and policyholders to elect to accept coverage from  
584 clearinghouse insurers or elect to accept or continue  
585 coverage with the corporation; authorizing certain  
586 applicants and policyholders of the corporation to elect to  
587 accept coverage from clearinghouse insurers or elect to  
588 accept or continue coverage with the corporation; requiring  
589 such applicants or policyholders to pay a specified total

**Coding: Words ~~stricken~~ are deletions; words underlined are additions.**

590 | cost of insurance for corporation coverage; providing  
591 | applicability; revising the rights and authorizations for  
592 | certain independent insurance agents; deleting a  
593 | prohibition relating to commercial nonresidential policies;  
594 | providing an effective date.  
595 |

**Coding: Words ~~stricken~~ are deletions; words underlined are additions.**