

ENROLLED

CS/CS/HB 483, Engrossed 1

2018 Legislature

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 2 An act relating to unfair insurance trade practices;
 3 amending s. 626.9541, F.S.; revising the types, value,
 4 and frequency of advertising and promotional gifts
 5 that licensed insurers or their agents may give to
 6 insureds, prospective insureds, or others; authorizing
 7 such insurers and agents to make specified charitable
 8 contributions on behalf of insureds or prospective
 9 insureds; prohibiting title insurance agents, title
 10 insurance agencies, or title insurers from giving
 11 insureds, prospective insureds, or others any article
 12 of merchandise in excess of a specified value;
 13 providing an effective date.

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

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 17 Section 1. Paragraph (m) of subsection (1) of section
 18 626.9541, Florida Statutes, is amended to read:

19 626.9541 Unfair methods of competition and unfair or
 20 deceptive acts or practices defined.—

21 (1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE
 22 ACTS.—The following are defined as unfair methods of competition
 23 and unfair or deceptive acts or practices:

24 (m) Advertising and promotional gifts and charitable
 25 contributions permitted.—

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26 1. The provisions ~~No provision~~ of paragraph (f), paragraph
 27 (g), or paragraph (h) do not ~~shall be deemed to~~ prohibit a
 28 licensed insurer or its agent from:

29 a. Giving to insureds, prospective insureds, or ~~and~~
 30 others, for the purpose of advertising, any article of
 31 merchandise, goods, wares, store gift cards, gift certificates,
 32 event tickets, anti-fraud or loss mitigation services, or other
 33 items having a total value of \$100 or less per insured or
 34 prospective insured in any calendar year ~~having a value of not~~
 35 ~~more than \$25.~~

36 b. Making charitable contributions, as defined in s.
 37 170(c) of the Internal Revenue Code, on behalf of insureds or
 38 prospective insureds, of up to \$100 per insured or prospective
 39 insured in any calendar year.

40 2. The provisions of paragraph (f), paragraph (g), or
 41 paragraph (h) do not prohibit a title insurance agent or title
 42 insurance agency, as those terms are defined in s. 626.841, or a
 43 title insurer, as defined in s. 627.7711, from giving to
 44 insureds, prospective insureds, or others, for the purpose of
 45 advertising, any article of merchandise having a value of not
 46 more than \$25. A person or entity governed by this subparagraph
 47 is not subject to subparagraph 1.

48 Section 2. This act shall take effect July 1, 2018.