

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Insurance & Banking
2 Subcommittee

3 Representative Santiago offered the following:

4
5 **Amendment (with directory and title amendments)**

6 Between lines 81 and 82, insert:

7 (c)1. The contract shall also provide that the obligation
8 of the board with respect to all contracts covering a particular
9 contract year shall not exceed the actual claims-paying capacity
10 of the fund up to the a limit specified in this subparagraph.

11 a. For the 2018-2019 contract year, the limit is of \$17
12 billion.

13 b. For the 2019-2020 contract year, the limit is \$16
14 billion.

15 c. For the 2020-2021 contract year, the limit is \$15
16 billion.

PCS for HB 97 a1

Published On: 1/22/2018 6:05:44 PM

Amendment No. 1

17 d. For the 2021-2022 contract year and subsequent contract
18 years, the limit is \$14 billion for that contract year, unless
19 ~~the board determines that there is sufficient estimated claims-~~
20 ~~paying capacity to provide \$17 billion of capacity for the~~
21 ~~current contract year and an additional \$17 billion of capacity~~
22 ~~for subsequent contract years. If the board makes such a~~
23 ~~determination, the estimated claims-paying capacity for the~~
24 ~~particular contract year shall be determined by adding to the~~
25 ~~\$17 billion limit one-half of the fund's estimated claims-paying~~
26 ~~capacity in excess of \$34 billion. However, the dollar growth in~~
27 ~~the limit may not increase in any year by an amount greater than~~
28 ~~the dollar growth of the balance of the fund as of December 31,~~
29 ~~less any premiums or interest attributable to optional coverage,~~
30 ~~as defined by rule, which occurred over the prior calendar year.~~

31 2. In May and October of the contract year, the
32 board shall publish in the Florida Administrative
33 Register a statement of the fund's estimated borrowing
34 capacity, the fund's estimated claims-paying capacity,
35 and the projected balance of the fund as of December
36 31. After the end of each calendar year, the board
37 shall notify insurers of the estimated borrowing
38 capacity, estimated claims-paying capacity, and the
39 balance of the fund as of December 31 to provide
40 insurers with data necessary to assist them in
41 determining their retention and projected payout from

PCS for HB 97 a1

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Amendment No. 1

42 | the fund for loss reimbursement purposes. In
43 | conjunction with the development of the premium
44 | formula, as provided for in subsection (5), the board
45 | shall publish factors or multiples that assist
46 | insurers in determining their retention and projected
47 | payout for the next contract year. For all regulatory
48 | and reinsurance purposes, an insurer may calculate its
49 | projected payout from the fund as its share of the
50 | total fund premium for the current contract year
51 | multiplied by the sum of the projected balance of the
52 | fund as of December 31 and the estimated borrowing
53 | capacity for that contract year as reported under this
54 | subparagraph.

55 |

56 |

57 | -----

58 | **D I R E C T O R Y A M E N D M E N T**

59 | Remove lines 11-12 and insert:

60 | Section 1. Paragraph (e) of subsection (2), paragraphs (b)
61 | and (c) of subsection (4), paragraph (b) of subsection (5), and

62 |

63 | -----

64 | **T I T L E A M E N D M E N T**

65 | Between lines 4 and 5, insert:

66 | specifying maximum limits of coverage for a contract year;

PCS for HB 97 a1

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