



INFORMATIONAL MEMORANDUM

OIR-07-10M

ISSUED

July 17, 2007

Florida Office of Insurance Regulation

Kevin M. McCarty, Commissioner

To All Property and Casualty Insurers in the State of Florida

Windstorm and Contents Exclusion

The purpose of this memorandum is to remind all residential property insurers that effective July 1, 2007, all policyholders must be offered the option of excluding windstorm and contents coverage. It has come to the attention of the Office that some insurers may not be in compliance with this requirement.

During January's special legislative session, the Florida Legislature passed House Bill 1A creating s. 627.712, Florida Statutes. On January 25, 2007, Governor Crist signed House Bill 1A into law requiring all residential property insurers, effective July 1, 2007, to offer an exclusion of hurricane or windstorm coverage as defined in s. 627.4025, Florida Statutes, and an offer to exclude contents coverage.

During March's regular legislative session, the Florida Legislature passed Senate Bill 2498 amending s. 627.712, Florida Statutes. On June 11, 2007, Governor Crist signed Senate Bill 2498 into law, thereby amending s. 627.712, Florida Statutes, effective July 1, 2007, requiring all residential property insurers to offer an exclusion of all windstorm and contents coverage. While the Legislature broadened the exclusion from just hurricane to all wind the effective date remained unchanged.

Any insurer that has failed to make a timely filing to effectuate the changes to s. 627.712, Florida Statutes, is subject to administrative action and is required to retroactively make this offer available to any new policy, written or renewed, after July 1, 2007.

Any statutory change resulting in a conflict with your existing insurance contract, rating provisions or current practice obligates an insurer to submit a form and/or rate filing to modify its procedures, even if not specifically mentioned above. For additional details, please refer to the specific statute or bill.

If you have any questions regarding the filing process, please contact Mike Milnes, Deputy Director, Property and Casualty Product Review, Florida Office of Insurance Regulation at Michael.Milnes@fldfs.com or (850) 413-5306.