Amendments to the Draft *Private Flood Insurance Model Act*
Submitted by the Independent Insurance Agents & Brokers of America

DELETE SECTION 7 AND REPLACE WITH THE FOLLOWING NEW SECTIONS:

**Section __. Notice to Consumers**

A. Before placing a personal lines private flood insurance policy with an insurer, an insurance producer, surplus lines broker, or insurer must provide a written notice to the applicant advising that, if the applicant discontinues coverage under the National Flood Insurance Program that is provided at a subsidized rate, the full risk rate for flood insurance may apply to the property if the applicant later seeks to reinstate coverage under the program.

B. This section only applies if the applicant lives in a Special Flood Hazard Area. This section automatically sunsets if federal legislation is enacted that allows the insured to switch between private flood insurance and NFIP coverage without penalty.

**Section __. Cancellation and Nonrenewal Notice**

A. An insurer must provide written notice at least 45 days before the cancellation or nonrenewal of private flood insurance coverage to the insured.

B. The notice described in subsection (A) must meet the delivery and other requirements established under [insert reference to the provisions of the state code addressing cancellation and nonrenewal notice requirements].

_Drafting Note – This section is intended for States that have cancellation and nonrenewal notice requirements that mandate the delivery of such notices fewer than 45 days before cancellation or nonrenewal of a policy. This provision is unnecessary for and should not be adopted by jurisdictions that require the delivery of such notices 45 or more days in advance of a cancellation or nonrenewal._

**Section __. Surplus Lines Placements**

A surplus lines broker may place a policy or endorsement providing private flood insurance coverage with an eligible surplus lines insurer without performing a diligent effort to seek such coverage from one or more admitted insurers as required under [insert reference to the provision of the state code addressing diligent search requirements].

_Drafting Note – States may wish to consider sunsetting this section after a specified period of time._