

1977

## Session Law 77-174

Florida Senate & House of Representatives

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GENERAL ACTS  
RESOLUTIONS AND MEMORIALS  
ADOPTED BY THE  
FIFTH LEGISLATURE OF FLORIDA  
UNDER THE CONSTITUTION  
AS REVISED IN 1968

During the Regular Session  
April 5, 1977 through June 3, 1977  
and the Special Sessions  
June 8, 1977 through June 16, 1977  
and  
June 22, 1977 through June 24, 1977



Volume I, Part One

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TALLAHASSEE

1977

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FLORIDA STATE ARCHIVES  
DEPARTMENT OF STATE  
J.A. GRAY BUILDING  
Tallahassee, Florida 32399

**Section 2.** This act shall take effect July 1, 1977.

Approved by the Governor June 9, 1977.

Filed in Office Secretary of State June 10, 1977.

CHAPTER 77-174

House Bill No. 1571

**AN ACT** relating to the Florida Statutes; amending various sections and subunits of sections of the Florida Statutes to conform them to bracketed words and phrases editorially inserted or substituted in the interest of clarity in the Florida Statutes 1973, the 1974 Supplement to the Florida Statutes, the Florida Statutes 1975, and the 1976 Supplement to the Florida Statutes.

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

**Section 1.** Sections 13.9984(1)(g)2.d.; 20.17(3),(4),(7), and (11)(c)1.; 20.19(4)(c)5.,(8)(d), and (9); 20.261(3); 20.315(6),(8)(c), and (13)(d); 23.019(1); 23.122(7); 23.123; 20.223(1); 28.241(1); 30.31(1); 39.03(6)(a) and (b); 39.04(2); 63.097; 63.212(4); 65.081(3) and (4); 78.068(1); 83.764(1) and (8); 90.104(1); 90.202(6); 90.407; 90.505(3)(d); 90.803(19),(20), and (21); 90.902(2); 90.952; 90.954(intro); 95.011; 95.051(1)(b) and (2); 95.11(3)(c); 95.16(2)(d); 95.191; 95.21; 95.281(1)(c); 95.35; 95.361(1); 98.051(5)(b); 100.361(1)(intro),(d), and (g); 101.5607; 101.5609(8); 101.5614(3); 101.63; 103.101(11)(b)2.; 103.111(4); 104.013(2); 104.371; 106.011(11); 106.03(2)(h); 106.04(1)(c); 106.05; 106.07(1)(c); 106.08(1)(a); 106.15(1)(e); 106.17(1); 112.044(1); 112.061(11); 112.20(1); 112.312(11) and (15); 112.313(9)(a); 112.3145(1)(c)1.,(2)(a) and (b),(3)(b) and (d), and (4); 112.322(2)(a) and (d); 120.52(2) and (8); 120.54(1)(a)(intro),(4)(a) and (b), and (11)(a); 120.545(1),(2),(3),(4),(5),(7), and (8); 120.55(1)(g); 120.56(1) and (2); 120.57(1)(b)3.; 120.59(1); 120.60(2),(3), and (5); 120.66(3); 120.68(4) and (6); 120.72(1) and (4)(b); 121.011(3)(e); 121.021(38); 121.051(2)(a)3.; 122.34(5); 123.01(5); 125.315; 125.85(1); 154.209(7); 159.03(1); 163.3167(7); 163.3177(4) and (6)(g)(intro),(h), and (i); 163.3181(3)(a); 163.3184(1)(c),(3), and (4); 163.3187; 163.3194(2)(a); 163.566(10); 163.602(1) and (3); 163.604(10); 163.611(1)(b),(2)(d)4. and 5., and (3); 163.613(2); 163.621(14); 163.622(intro) and (2)(a); 163.623(intro); 163.632(3),(4), and (5); 165.052(1)(c) and (3); 166.021(4); 166.231(4); 193.085(4)(a); 193.102(1); 193.122(2) and (4); 194.011(3); 194.032(2) and (6)(a)3.; 194.181(2); 195.062(1); 195.106(1)(c) and (3); 196.131(1); 196.193(5); 196.1975(4)(a) and (5); 196.199(5) and (8)(b); 197.214; 197.256(1); 198.18(1); 199.052(3) and (5); 200.065(9); 200.132(1); 206.93; 212.02(14); 215.422(1); 216.044; 216.151(4); 218.21(6)(a); 228.061(2)(a); 229.8055(6)(d); 229.833(1); 230.7661(1); 230.767(1)(c); 232.07(1)(a),(b), and (c)4.; 232.245(3); 232.27; 233.115(3); 233.16(1) and (2); 233.25(10); 233.39; 233.43; 233.46(4),(5), and (6); 234.02(2); 235.42(5) and (6); 235.4235(2); 236.081(5)(c) and (7)(c)4.; 236.084(5) and (6); 238.171(3)(a) and (b); 239.58(6); 240.042(2)(p)2.; 241.735(2); 243.27(4)(e); 243.29; 243.40; 245.07; 252.38(7); 252.43; 252.46(1); 255.245(5); 255.25(2); 258.165(2)(a)

to supervision or regulations by any state commission, board, bureau, or agency other than the authority.

(2) All, or a sufficient amount of, the revenues derived from a project or projects for which revenue bonds have been issued shall be set aside, at such regular intervals as may be provided in the resolution authorizing the issuance of the bonds, or in the trust agreement securing the same, in a sinking fund for the payment of the principal and interest on such bonds as the same shall become due and any premium upon bonds retired by call or purchase as therein provided, and for reserves therefor, and to pay the cost of maintaining, repairing, and operating the project or projects and of providing reserves therefor, all in the order of priority and manner as shall be provided in such resolution or trust agreement. The use and disposition of the sinking fund shall be subject to such regulations as may be provided in the resolution authorizing the issuance of the bonds or in the trust agreement.

617.051 Merger.--

(1)

(b) Any corporation organized under chapter 608 or chapter 607 may merge into a corporation organized hereunder, provided the latter corporation is the surviving corporation. The provisions of chapter 607 608 dealing with merger shall apply to a corporation organized under that chapter, and the merger provisions of this chapter shall apply to a corporation organized hereunder.

Note.--Amendment adds words to reflect the revision of the corporation law by ch. 75-250, Laws of Florida.

626.9511 Definitions.--When used in this part:

(1) "Person" means any individual, corporation, association, partnership, reciprocal exchange, inter-insurer, Lloyds insurer, fraternal benefit society or business trust, or and any entity involved in the business of insurance.

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.--The following, when committed or performed without just cause and with such frequency as to indicate a general business practice, are ~~or~~ defined as unfair methods of competition and unfair or deceptive acts or practices:

(9) UNFAIR CLAIM SETTLEMENT PRACTICES.--

(c) Committing or performing with such frequency as to indicate a general business practice any of the following:

4. Denying Refusing-to-pay claims without conducting reasonable investigations based upon available information;

(15) ILLEGAL DEALINGS IN PREMIUMS; EXCESS OR REDUCED CHARGES ~~FOR~~ INSURANCE.--

(b) Knowingly collecting as a premium or charge for insurance any sum in excess of or less than the premium or charge applicable to such insurance, in accordance with the applicable classifications and rates as filed with and approved by the department, and as specified in the policy; or, in cases when classifications, premiums, or rates

04/15/77 TAXATION, APPROPRIATIONS -HJ 00244  
 06/03/77 HOUSE DIED IN COMMITTEE ON CRIMINAL JUSTICE

H 1570 GENERAL BILL BY CONSIDINE (IDENTICAL S 1136)  
 BANKING & FINANCE DEPT.; PROVIDES THAT DEPT. MAY DESTROY GENERAL  
 CORRESPONDENCE & RECORDS IN ACCORDANCE WITH SCHEDULE & NOTICES  
 ESTABLISHED BY ARCHIVES, HISTORY & RECORDS MGT. DIV. OF STATE DEPT.;  
 REQUIRES APPROVAL BY AUDITOR GEN. OF SCHEDULE & NOTICES RE FINANCIAL  
 MATTERS. AMENDS 17.27. EFFECTIVE DATE: UPON BECOMING LAW.  
 04/15/77 HOUSE INTRODUCED, REFERRED TO COMMERCE, APPROPRIATIONS  
 -HJ 00244  
 06/03/77 HOUSE DIED IN COMMITTEE ON COMMERCE

H 1571 GENERAL BILL BY RULES AND CALENDAR  
 FLA. STATUTES/REVISER'S BILL; AMENDS VARIOUS SECTIONS OF STATUTES TO  
 CONFORM THEM TO BRACKETED WORDS & PHRASES EDITORIALY INSERTED OR  
 SUBSTITUTED IN INTEREST OF CLARITY. EFFECTIVE DATE: REVISER'S BILL.  
 04/15/77 HOUSE INTRODUCED, PLACED ON CALENDAR -HJ 00244  
 04/18/77 HOUSE READ SECOND TIME -HJ 00269  
 04/19/77 HOUSE READ THIRD TIME; PASSED; YEAS 107 NAYS 5 -HJ 00288  
 04/27/77 SENATE RECEIVED, REFERRED TO JUDICIARY-CIVIL -SJ 00239  
 05/09/77 SENATE WITHDRAWN FROM JUDICIARY-CIVIL -SJ 00350; PLACED ON  
 CALENDAR  
 05/27/77 SENATE PASSED AS AMENDED; YEAS 28 NAYS 0 -SJ 00564  
 05/30/77 HOUSE CONCURRFD; PASSED AS AMENDED; YEAS 104 NAYS 5  
 -HJ 00854  
 06/03/77 HOUSE ORDERED ENGROSSED, THEN ENROLLED  
 06/09/77 HOUSE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR  
 06/09/77 APPROVED BY GOVERNOR CHAPTER NO. 77-174

H 1572 GENERAL BILL BY RULES AND CALENDAR  
 FLA. STATUTES/REVISER'S BILL; REPLACES INCORRECT CROSS-REFERENCES;  
 DELETES OBSOLETE OR EXPIRED PROVISIONS; CORRECTS GRAMMATICAL &  
 TYPOGRAPHICAL ERRORS; CONFORMS STATUTORY LANGUAGE TO PREVIOUS  
 LEGISLATION & CORRECTS ERRORS IN EDITING, PUBLISHING & PRINTING OF F.S.  
 EFFECTIVE DATE: REVISER'S BILL.  
 04/15/77 HOUSE INTRODUCED, PLACED ON CALENDAR -HJ 00244  
 04/18/77 HOUSE READ SECOND TIME -HJ 00269  
 04/19/77 HOUSE READ THIRD TIME; PASSED; YEAS 106 NAYS 6 -HJ 00288  
 04/27/77 SENATE RECEIVED, REFERRED TO GOVERNMENTAL OPERATIONS  
 -SJ 00239  
 05/03/77 SENATE COMM. REPORT: FAVORABLE, PLACED ON CALENDAR BY  
 GOVERNMENTAL OPERATIONS -SJ 00325  
 05/27/77 SENATE PASSED; YEAS 28 NAYS 0 -SJ 00564  
 06/01/77 HOUSE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR -HJ 01045  
 06/06/77 APPROVED BY GOVERNOR CHAPTER NO. 77-104

H 1573 GENERAL BILL BY RULES AND CALENDAR  
 FLA. STATUTES/REVISER'S BILL; RE DISABILITY OF MONAGE; CONFORMS VARIOUS  
 SECTIONS OF STATUTES TO CH. 73-21, LAWS OF FLA., WHICH DEFINED "MINOR"  
 TO INCLUDE PERSONS UNDER 18 & REMOVED DISABILITIES OF MONAGE FOR ALL  
 PERSONS 18 OR OLDER. EFFECTIVE DATE: REVISER'S BILL.  
 04/15/77 HOUSE INTRODUCED, PLACED ON CALENDAR -HJ 00244  
 04/18/77 HOUSE READ SECOND TIME -HJ 00269  
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04/19/77 HOUSE READ THIRD TIME; PASSED; YEAS 106 NAYS 7 -HJ 00288  
 04/27/77 SENATE RECEIVED, REFERRED TO JUDICIARY-CIVIL -SJ 00239  
 05/09/77 SENATE WITHDRAWN FROM JUDICIARY-CIVIL -SJ 00350; PLACED ON  
 CALENDAR  
 05/27/77 SENATE PASSED; YEAS 27 NAYS 0 -SJ 00564  
 06/07/77 HOUSE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR  
 06/07/77 APPROVED BY GOVERNOR CHAPTER NO. 77-121

H 1574 GENERAL BILL BY RULES AND CALENDAR  
 FLA. STATUTES/REVISER'S BILL; RE DEPT. OF STATE; DELETES TRANSIENT  
 PROVISIONS WHICH ARE NOT OF GENERAL & PERMANENT NATURE & HAVE SERVED  
 THEIR PURPOSE RE GOVERNMENTAL REORGANIZATION; TRANSFERS VARIOUS  
 PROVISIONS TO FUNCTIONALLY RELATED LOCATIONS FOR CLARITY.  
 EFFECTIVE DATE: REVISER'S BILL.  
 04/15/77 HOUSE INTRODUCED, PLACED ON CALENDAR -HJ 00244  
 04/18/77 HOUSE READ SECOND TIME -HJ 00269  
 04/19/77 HOUSE READ THIRD TIME; PASSED; YEAS 106 NAYS 6 -HJ 00289  
 04/27/77 SENATE RECEIVED, REFERRED TO EXECUTIVE BUSINESS -SJ 00239  
 05/17/77 SENATE EXTENSION OF TIME GRANTED COMMITTEE EXECUTIVE BUSINESS  
 -SJ 00429  
 05/20/77 SENATE EXTENSION OF TIME GRANTED COMMITTEE EXECUTIVE BUSINESS  
 -SJ 00462  
 05/25/77 SENATE WITHDRAWN FROM EXECUTIVE BUSINESS -SJ 00501; PLACED ON  
 CALENDAR  
 05/27/77 SENATE PASSED; YEAS 27 NAYS 0 -SJ 00566  
 06/07/77 HOUSE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR  
 06/07/77 APPROVED BY GOVERNOR CHAPTER NO. 77-122

H 1575 GENERAL BILL BY RULES AND CALENDAR  
 FLA. STATUTES/REVISER'S BILL; RE DEPT. OF LEGAL AFFAIRS; DELETES  
 TRANSIENT PROVISION WHICH IS NOT OF GENERAL & PERMANENT NATURE & WHICH  
 HAS SERVED ITS PURPOSE RE GOVERNMENTAL REORGANIZATION; TRANSFERS  
 PROVISION TO FUNCTIONALLY RELATED LOCATION FOR CLARITY. AMENDS 20.11.  
 EFFECTIVE DATE: REVISER'S BILL.  
 04/15/77 HOUSE INTRODUCED, PLACED ON CALENDAR -HJ 00245  
 04/18/77 HOUSE READ SECOND TIME -HJ 00269  
 04/19/77 HOUSE READ THIRD TIME; PASSED; YEAS 107 NAYS 6 -HJ 00289  
 04/27/77 SENATE RECEIVED, REFERRED TO EXECUTIVE BUSINESS -SJ 00239  
 05/17/77 SENATE EXTENSION OF TIME GRANTED COMMITTEE EXECUTIVE BUSINESS  
 -SJ 00429  
 05/20/77 SENATE EXTENSION OF TIME GRANTED COMMITTEE EXECUTIVE BUSINESS  
 -SJ 00462  
 05/25/77 SENATE WITHDRAWN FROM EXECUTIVE BUSINESS -SJ 00501; PLACED ON  
 CALENDAR  
 05/27/77 SENATE PASSED; YEAS 27 NAYS 0 -SJ 00566  
 06/01/77 HOUSE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR -HJ 01045  
 06/06/77 APPROVED BY GOVERNOR CHAPTER NO. 77-105

H 1576 GENERAL BILL BY RULES AND CALENDAR  
 FLA. STATUTES/REVISER'S BILL; RE DEPT. OF BANKING & FINANCE; DELETES  
 TRANSIENT PROVISION WHICH IS NOT OF GENERAL & PERMANENT NATURE & WHICH  
 HAS SERVED ITS PURPOSE RE GOVERNMENTAL REORGANIZATION; TRANSFERS  
 PROVISION TO FUNCTIONALLY RELATED LOCATION FOR CLARITY. AMENDS 20.12.  
 EFFECTIVE DATE: REVISER'S BILL.  
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# History of Legislation

## 1977 Regular Session

### Florida Legislature

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