

IN THE SUPREME COURT OF FLORIDA

UNITED INSURANCE COMPANY OF AMERICA; THE RELIABLE LIFE INSURANCE COMPANY; MUTUAL SAVINGS LIFE INSURANCE COMPANY; and RESERVE NATIONAL INSURANCE COMPANY,

Case No. SC20-1306
DCA Case No. 1D18-2114

Petitioners,

v.

JIMMY PATRONIS, in his official capacity as Chief Financial Officer of the State of Florida, and the FLORIDA DEPARTMENT OF FINANCIAL SERVICES,

Respondents.

AMERICAN COUNCIL OF LIFE INSURERS'
NOTICE OF INTENT TO SEEK LEAVE TO FILE AN *AMICUS* BRIEF IN
THIS COURT SHOULD IT ACCEPT JURISDICTION

According to Florida Rule of Appellate Procedure 9.370(d), the American Council of Life Insurers (“**ACLI**”) gives notice of its intent to seek leave to file an amicus brief on the merits supporting Petitioners, United Insurance Company of America, *et al.* if this Court accepts jurisdiction. ACLI’s interest is as follows:

ACLI is the nation’s largest life insurance trade association, representing nearly 300 member life insurance companies, approximately 250 of which conduct business in Florida. ACLI’s interest arises from the Florida Legislature’s

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retroactively imposing new search and contact obligations on its member companies under section 717.107, Florida Statutes (the “Act”), and the Department of Financial Services’ retroactively enforcing those new obligations.

These new obligations—if imposed retroactively over a period spanning multiple decades—will especially burden ACLI’s small- and mid-sized members, which lack the resources to perform the required labor-intensive search and contact processes. This is especially true regarding older policies issued before modern technology was available to store information required to complete the new search and contact requirements. Complying with the Act’s requirements as applied to these older policies will be impracticable, if not impossible for many of ACLI’s members. Imposing the Act retroactively will also increase costs. Increased costs means higher prices for consumers, rendering small value life insurance policies prohibitively expensive for many lower income consumers.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of September 2020 that a true and correct copy of the foregoing has been electronically uploaded to The Supreme Court of Florida's e-Portal and a true and correct copy of the foregoing was furnished by E-mail to all parties listed below.

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