

**NOTICE OF CHANGE IN POLICY TERMS**  
**Florida Association of Counties Trust**  
**2019-2020 Coverage Year**

**GENERAL/PROFESSIONAL LIABILITY**

**Conditions of Coverage (FACT GL)**

D. Amended to clarify process of subrogation claim handling.

**Definitions:**

10. **“Civil Rights Liability.”** Amended to more accurately describe covered liability under relevant federal laws.
16. **“Employee Benefit Program”** Amended to clarify that the term includes sick leave plans.

**Exclusions:**

4. **Watercraft and Marina.** Amended exclusion to clarify the types of watercraft-related liability excluded from coverage. Also, defined the term “Marina Operations” as used within the exclusion.
6. **Aircraft.** Amended exclusion to clarify types of aircraft-related liability excluded from coverage.
11. **Workplace Laws.** Amended exclusion to clarify types of claims excluded under certain disability laws.
33. **Labor laws.** Amended exclusion to clarify types of claims excluded under certain disability laws.
45. **Employment Practices Liability.** Amended exclusion to eliminate duplicative language found elsewhere related to claims excluded under certain disability laws.
46. **Employee Benefits Liability.** Amended to add new exclusions section related to retirement and pension plan benefit-related liability.

## **GL COVERAGE ENDORSEMENTS**

### **Marina Operations Endorsement (FACT MARINA)**

Amended pertinent language to for consistency with related amendments within FACT GL Exclusion 4.

### **Sewerline Backup Initial Cleanup Expense Endorsement (FACT SBU)**

#### **Coverage:**

Increased overall coverage year aggregate limit to \$200,000. Established a limit of \$10,000 per Affected Property. Clarified that coverage applies, provided the backup arises outside of the Affected Property owner's sewerline and property boundary. Clarified that no per-occurrence deductible applies.

#### **Exclusions:**

Added a new Exclusions section. Excluded Flood and Named Storm occurrences from coverage.

### **Breach Response Cyber Liability Endorsement (FACT CYBER 1019)**

#### **Retention:**

New per-occurrence Retention increases from \$25,000 to \$35,000. New Criminal Reward coverage will be subject to \$0 Retention.

#### **Coverage:**

A new single endorsement form (FACT CYBER 1019) replaces multiple coverage forms (FACT PNL 1015, FACT PNL 1012, and FACT PNLX 1012). Changes effectively provide same cyber coverage areas and per-claim limits as before, but add the following:

- Electronic Crime (\$50,000 limit).
- Fraudulent Instruction (\$50,000 limit).
- Telephone Fraud (\$50,000 limit).
- Criminal Reward (\$5,000 limit).
- Certain Information Security and Privacy Liability coverages amended and regrouped under new "Breach Response Services" coverage agreement provision, and a separate \$1,000,000 coverage limit is provided for this coverage in addition to Member's Endorsement Aggregate Limit.
- Coverage added for legal defense of claims alleging unlawful audio/video data recording.
- Business Interruption Coverage:

- Replaces “Period of Restoration” (30 days) and “Extended Interruption Period” (30 days) with a simplified “Period of Restoration” that equals up to 180-days used when determining loss with this claim type.
- Dependent Business Interruption sublimit is eliminated and now incorporated within Business Interruption Loss.
- Hourly sublimit for Business Interruption Income Loss is eliminated now incorporated within Business Interruption Loss

**Coverage Limits:**

- Per-Member Endorsement Aggregate Limit increased from \$200,000 to \$1,000,000.
- Per-Member Breach Response Services Coverage Limit: A new, \$1,000,000 per-member Breach Response Services aggregate limit is provided and applies in addition to the per-member Endorsement Aggregate Limit.
- All-Member Overall Aggregate Limit: Increased from \$1,250,000 to \$5,000,000.

**Definitions:**

Many existing definitions were simplified and, in some cases, broadened.

Newly defined terms include:

- Breach Response Services, Criminal Reward Funds, Data, Data Breach, Data Recovery Costs, Digital Currency, Endorsement Period, Financial Institution, Individual Contractor, Fraudulent Instruction, Funds Transfer Fraud, Media Liability, Money, Securities, Telephone Fraud, Third Party Information, Transfer Account, Unauthorized Access or Use, Unauthorized Disclosure, Personally Identifiable Information, and Waiting Period.

**Exclusions:**

New exclusions include:

- Claims due to radioactive contamination.
- Claims for which payment would violate existing trade or economic sanctions imposed by the UN, E.U., U.K. or U.S.

**AUTOMOBILE LIABILITY COVERAGE (FACT AL)**

**Conditions of Coverage:**

- D. 1. Amended to clarify process of subrogation claim handling.