

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Regulatory Affairs
 2 Committee

3 Representative Beshears offered the following:

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 5 **Amendment (with title amendment)**

6 Remove lines 457-498 and insert:

7 (4) (a) Each place of business established by an agent or
 8 agency, firm, corporation, or association shall be in the active
 9 full-time charge of a licensed and appointed agent holding the
 10 required agent licenses to transact the lines of insurance being
 11 handled at the location.

12 (b) Notwithstanding paragraph (a), the licensed agent in
 13 charge of an insurance agency may also be the agent in charge of
 14 additional branch office locations of the agency if insurance
 15 activities requiring licensure as an insurance agent do not
 16 occur at any location when an agent is not physically present
 17 and unlicensed employees at the location do not engage in any
 18 insurance activities requiring licensure as an insurance agent
 19 or customer representative.

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20 (c) An insurance agency and each branch place of business
21 of an insurance agency shall designate an agent in charge and
22 file the name and license number of the agent in charge and the
23 physical address of the insurance agency location with the
24 department at the department's designated website. The
25 designation of the agent in charge may be changed at the option
26 of the agency, and any change shall be effective upon
27 notification to the department. Notice to the department must be
28 provided within 30 days after such change.

29 (d) For the purposes of this subsection, an "agent in
30 charge" is the licensed and appointed agent who is responsible
31 for the supervision of all individuals within an insurance
32 agency location, regardless of whether such individuals deal
33 with the general public in the solicitation or negotiation of
34 insurance contracts or the collection or accounting of moneys.

35 (e) Any agent in charge of an insurance agency shall be
36 accountable for any wrongful acts, misconduct, or violations of
37 any provisions of this code committed by such licensee or by any
38 person under his or her supervision while acting on behalf of
39 the agency. Nothing in this section shall be construed to render
40 any agent in charge criminally liable for any act unless such
41 agent in charge personally committed or knew or should have
42 known of such act and of the facts constituting a violation of
43 this chapter.

44 (f) An insurance agency location may not conduct the
45 business of insurance unless an agent in charge is designated at
46 all times. An agency license expires if an agency fails to

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47 designate with the department an agent in charge within 90 days
48 of the date of the change.

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T I T L E A M E N D M E N T

Remove lines 39-50 and insert:

of business to have an agent in charge; authorizing an agent to
be in charge of more than one branch office under certain
circumstances; providing requirements relating to the
designation of an agent in charge; providing accountability for
the agent in charge; prohibiting an insurance agency from
conducting insurance business at a location without a designated
agent in charge; providing for expiration of an agency license
under specified circumstances; amending s. 626.112, F.S.;