

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Articles offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 255 and 256, insert:

5 Section 7. Subsections (6) through (9) of 626.112, Florida  
6 Statutes, are renumbered as subsections (9) through (12),  
7 respectively, subsection (1) is amended, and new subsections  
8 (6), (7), and (8) of that section, to read:

9 626.112 License and appointment required; agents, customer  
10 representatives, adjusters, umpires, insurance agencies, service  
11 representatives, managing general agents.—

12 (1) (a) No person may be, act as, or advertise or hold  
13 himself or herself out to be an insurance agent, insurance  
14 adjuster, or customer representative unless he or she is

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15 currently licensed by the department and appointed by an  
16 appropriate appointing entity or person.

17 (b) Except as provided in subsection (9) ~~(6)~~ or in  
18 applicable department rules, and in addition to other conduct  
19 described in this chapter with respect to particular types of  
20 agents, a license as an insurance agent, service representative,  
21 customer representative, or limited customer representative is  
22 required in order to engage in the solicitation of insurance.  
23 For purposes of this requirement, as applicable to any of the  
24 license types described in this section, the solicitation of  
25 insurance is the attempt to persuade any person to purchase an  
26 insurance product by:

27 1. Describing the benefits or terms of insurance coverage,  
28 including premiums or rates of return;

29 2. Distributing an invitation to contract to prospective  
30 purchasers;

31 3. Making general or specific recommendations as to  
32 insurance products;

33 4. Completing orders or applications for insurance  
34 products;

35 5. Comparing insurance products, advising as to insurance  
36 matters, or interpreting policies or coverages; or

37 6. Offering or attempting to negotiate on behalf of  
38 another person a viatical settlement contract as defined in s.  
39 626.9911.  
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41 However, an employee leasing company licensed pursuant to  
42 chapter 468 which is seeking to enter into a contract with an  
43 employer that identifies products and services offered to  
44 employees may deliver proposals for the purchase of employee  
45 leasing services to prospective clients of the employee leasing  
46 company setting forth the terms and conditions of doing  
47 business; classify employees as permitted by s. 468.529; collect  
48 information from prospective clients and other sources as  
49 necessary to perform due diligence on the prospective client and  
50 to prepare a proposal for services; provide and receive  
51 enrollment forms, plans, and other documents; and discuss or  
52 explain in general terms the conditions, limitations, options,  
53 or exclusions of insurance benefit plans available to the client  
54 or employees of the employee leasing company were the client to  
55 contract with the employee leasing company. Any advertising  
56 materials or other documents describing specific insurance  
57 coverages must identify and be from a licensed insurer or its  
58 licensed agent or a licensed and appointed agent employed by the  
59 employee leasing company. The employee leasing company may not  
60 advise or inform the prospective business client or individual  
61 employees of specific coverage provisions, exclusions, or  
62 limitations of particular plans. As to clients for which the  
63 employee leasing company is providing services pursuant to s.  
64 468.525(4), the employee leasing company may engage in  
65 activities permitted by ss. 626.7315, 626.7845, and 626.8305,  
66 subject to the restrictions specified in those sections. If a

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67 prospective client requests more specific information concerning  
68 the insurance provided by the employee leasing company, the  
69 employee leasing company must refer the prospective business  
70 client to the insurer or its licensed agent or to a licensed and  
71 appointed agent employed by the employee leasing company.

72 (6) No person shall be, act as, or represent or hold  
73 himself or herself out to be a property insurance appraisal  
74 umpire unless he or she holds a currently effective property  
75 insurance appraisal umpire license and appointment.

76 (7) No person shall be, act as, or represent or hold  
77 himself or herself out to be a property insurance appraiser who  
78 is eligible to represent an insured on a personal residential or  
79 commercial residential property insurance claim unless he or she  
80 holds a currently effective adjuster license and appointment or  
81 is exempt from licensure under s. 626.860. A licensed adjuster  
82 who holds an active appointment with an insurance company may  
83 not serve as an appraiser for an insured.

84 (8) No person who is a convicted felon or disqualified  
85 under s. 626.207 may act or serve as a property insurance  
86 appraisal umpire or property insurance appraiser.

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

89 Remove line 23 and insert:  
90 amendments to s. 624.502, F.S.; amending s. 626.112,  
91 F.S.; requiring property insurance appraisal umpires  
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93 | to be licensed and appointed; requiring licensure as  
94 | an adjuster when serving as an appraiser under certain  
95 | conditions; amending ss. 16.59,

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