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LEGISLATIVE ACTION

Senate

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House

The Committee on Appropriations (Stargel) recommended the following:

Senate Amendment (with title amendment)

Delete lines 574 - 1544

and insert:

Section 10. Subsection (1) of section 624.317, Florida Statutes, is amended to read:

624.317 Investigation of agents, adjusters, administrators, service companies, and others.—If it has reason to believe that any person has violated or is violating any provision of this code, or upon the written complaint signed by any interested



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11 person indicating that any such violation may exist:

12 (1) The department shall conduct such investigation as it
13 deems necessary of the accounts, records, documents, and
14 transactions pertaining to or affecting the insurance affairs of
15 any ~~general agent, surplus lines agent,~~ adjuster, ~~managing~~
16 ~~general agent, insurance agent,~~ insurance agency, customer
17 representative, service representative, or other person subject
18 to its jurisdiction, subject to the requirements of s. 626.601.

19 Section 11. Subsection (2) of section 624.34, Florida
20 Statutes, is amended to read:

21 624.34 Authority of Department of Law Enforcement to accept
22 fingerprints of, and exchange criminal history records with
23 respect to, certain persons.—

24 (2) The Department of Law Enforcement may accept
25 fingerprints of individuals who apply for a license as an agent,
26 customer representative, adjuster, service representative, or
27 navigator, ~~or managing general agent~~ or the fingerprints of the
28 majority owner, sole proprietor, partners, officers, and
29 directors of a corporation or other legal entity that applies
30 for licensure with the department or office under the Florida
31 Insurance Code.

32 Section 12. Section 624.4073, Florida Statutes, is amended
33 to read:

34 624.4073 Officers and directors of insolvent insurers.—Any
35 person who was an officer or director of an insurer doing
36 business in this state and who served in that capacity within
37 the 2-year period before ~~prior to~~ the date the insurer became
38 insolvent, for any insolvency that occurs on or after July 1,
39 2002, may not thereafter serve as an officer or director of an



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40 insurer authorized in this state or have direct or indirect
41 control over the selection or appointment of an officer or
42 director through contract, trust, or by operation of law, unless
43 the officer or director demonstrates that his or her personal
44 actions or omissions were not a significant contributing cause
45 to the insolvency.

46 Section 13. Subsection (1) of section 624.4094, Florida
47 Statutes, is amended to read:

48 624.4094 Bail bond premiums.—

49 (1) The Legislature finds that a significant portion of
50 bail bond premiums is retained by the licensed bail bond agents
51 or appointed ~~licensed~~ managing general agents. For purposes of
52 reporting in financial statements required to be filed with the
53 office pursuant to s. 624.424, direct written premiums for bail
54 bonds by a domestic insurer in this state shall be reported net
55 of any amounts retained by licensed bail bond agents or
56 appointed ~~licensed~~ managing general agents. However, in no case
57 shall the direct written premiums for bail bonds be less than
58 6.5 percent of the total consideration received by the agent for
59 all bail bonds written by the agent. This subsection also
60 applies to any determination of compliance with s. 624.4095.

61 Section 14. Paragraph (e) of subsection (19) of section
62 624.501, Florida Statutes, is amended to read:

63 624.501 Filing, license, appointment, and miscellaneous
64 fees.—The department, commission, or office, as appropriate,
65 shall collect in advance, and persons so served shall pay to it
66 in advance, fees, licenses, and miscellaneous charges as
67 follows:

68 (19) Miscellaneous services:



69 (e) Insurer's registration fee for agent exchanging
70 business more than four ~~24~~ times in a calendar year under s.
71 626.752, s. 626.793, or s. 626.837, registration fee per agent
72 per year.....\$30.00

73 Section 15. Subsection (1) of section 624.509, Florida
74 Statutes, is amended to read:

75 624.509 Premium tax; rate and computation.-

76 (1) In addition to the license taxes provided for in this
77 chapter, each insurer shall also annually, and on or before
78 March 1 in each year, except as to wet marine and transportation
79 insurance taxed under s. 624.510, pay to the Department of
80 Revenue a tax on insurance premiums, premiums for title
81 insurance, or assessments, including membership fees and policy
82 fees and gross deposits received from subscribers to reciprocal
83 or interinsurance agreements, and on annuity premiums or
84 considerations, received during the preceding calendar year, the
85 amounts thereof to be determined as set forth in this section,
86 to wit:

87 (a) An amount equal to 1.75 percent of the gross amount of
88 such receipts on account of life and health insurance policies
89 covering persons resident in this state and on account of all
90 other types of policies and contracts, except annuity policies
91 or contracts taxable under paragraph (b) and bail bond policies
92 or contracts taxable under paragraph (c), covering property,
93 subjects, or risks located, resident, or to be performed in this
94 state, omitting premiums on reinsurance accepted, and less
95 return premiums or assessments, but without deductions:

- 96 1. For reinsurance ceded to other insurers;
97 2. For moneys paid upon surrender of policies or



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98 certificates for cash surrender value;

99 3. For discounts or refunds for direct or prompt payment of
100 premiums or assessments; and

101 4. On account of dividends of any nature or amount paid and
102 credited or allowed to holders of insurance policies;
103 certificates; or surety, indemnity, reciprocal, or
104 interinsurance contracts or agreements;

105 (b) An amount equal to 1 percent of the gross receipts on
106 annuity policies or contracts paid by holders thereof in this
107 state; and

108 (c) An amount equal to 1.75 percent of the direct written
109 premiums for bail bonds, excluding any amounts retained by
110 licensed bail bond agents or appointed ~~licensed~~ managing general
111 agents.

112 Section 16. Section 625.071, Florida Statutes, is amended
113 to read:

114 625.071 Special reserve for bail and judicial bonds.—In
115 lieu of the unearned premium reserve required on surety bonds
116 under s. 625.051, the office may require any surety insurer or
117 limited surety insurer to set up and maintain a reserve on all
118 bail bonds or other single-premium bonds without definite
119 expiration date, furnished in judicial proceedings, equal to the
120 lesser of 35 percent of the bail premiums in force or \$7 per
121 \$1,000 of bail liability. Such reserve shall be reported as a
122 liability in financial statements required to be filed with the
123 office. Each insurer shall file a supplementary schedule showing
124 bail premiums in force and bail liability and the associated
125 special reserve for bail and judicial bonds with financial
126 statements required by s. 624.424. Bail premiums in force do not



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127 include amounts retained by licensed bail bond agents or
128 appointed licensed managing general agents, but may not be less
129 than 6.5 percent of the total consideration received for all
130 bail bonds in force.

131 Section 17. Subsection (5) of section 626.112, Florida
132 Statutes, is amended to read:

133 626.112 License and appointment required; agents, customer
134 representatives, adjusters, insurance agencies, service
135 representatives, managing general agents.—

136 (5) A ~~No~~ person may not shall be, act as, or represent or
137 hold himself or herself out to be a managing general agent
138 unless he or she then holds a currently effective producer
139 license and a managing general agent ~~license and~~ appointment.

140 Section 18. Section 626.171, Florida Statutes, is amended
141 to read:

142 626.171 Application for license as an agent, customer
143 representative, adjuster, service representative, ~~managing~~
144 ~~general agent,~~ or reinsurance intermediary.—

145 (1) The department may not issue a license as agent,
146 customer representative, adjuster, service representative,
147 ~~managing general agent,~~ or reinsurance intermediary to any
148 person except upon written application filed with the
149 department, meeting the qualifications for the license applied
150 for as determined by the department, and payment in advance of
151 all applicable fees. The application must be made under the oath
152 of the applicant and be signed by the applicant. An applicant
153 may permit a third party to complete, submit, and sign an
154 application on the applicant's behalf, but is responsible for
155 ensuring that the information on the application is true and



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156 correct and is accountable for any misstatements or
157 misrepresentations. The department shall accept the uniform
158 application for nonresident agent licensing. The department may
159 adopt revised versions of the uniform application by rule.

160 (2) In the application, the applicant shall set forth:

161 (a) His or her full name, age, social security number,
162 residence address, business address, mailing address, contact
163 telephone numbers, including a business telephone number, and e-
164 mail address.

165 (b) A statement indicating the method the applicant used or
166 is using to meet any required prelicensing education, knowledge,
167 experience, or instructional requirements for the type of
168 license applied for.

169 (c) Whether he or she has been refused or has voluntarily
170 surrendered or has had suspended or revoked a license to solicit
171 insurance by the department or by the supervising officials of
172 any state.

173 (d) Whether any insurer or any managing general agent
174 claims the applicant is indebted under any agency contract or
175 otherwise and, if so, the name of the claimant, the nature of
176 the claim, and the applicant's defense thereto, if any.

177 (e) Proof that the applicant meets the requirements for the
178 type of license for which he or she is applying.

179 (f) The applicant's gender (male or female).

180 (g) The applicant's native language.

181 (h) The highest level of education achieved by the
182 applicant.

183 (i) The applicant's race or ethnicity (African American,
184 white, American Indian, Asian, Hispanic, or other).



185 (j) Such other or additional information as the department
186 may deem proper to enable it to determine the character,
187 experience, ability, and other qualifications of the applicant
188 to hold himself or herself out to the public as an insurance
189 representative.

190
191 However, the application must contain a statement that an
192 applicant is not required to disclose his or her race or
193 ethnicity, gender, or native language, that he or she will not
194 be penalized for not doing so, and that the department will use
195 this information exclusively for research and statistical
196 purposes and to improve the quality and fairness of the
197 examinations.

198 (3) Each application must ~~shall~~ be accompanied by payment
199 of any applicable fee.

200 (4) An applicant for a license as an agent, customer
201 representative, adjuster, service representative, ~~managing~~
202 ~~general agent~~, or reinsurance intermediary must submit a set of
203 the individual applicant's fingerprints, or, if the applicant is
204 not an individual, a set of the fingerprints of the sole
205 proprietor, majority owner, partners, officers, and directors,
206 to the department and must pay the fingerprint processing fee
207 set forth in s. 624.501. Fingerprints must ~~shall~~ be used to
208 investigate the applicant's qualifications pursuant to s.
209 626.201. The fingerprints must ~~shall~~ be taken by a law
210 enforcement agency, designated examination center, or other
211 department-approved entity. The department shall require all
212 designated examination centers to have fingerprinting equipment
213 and to take fingerprints from any applicant or prospective



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214 applicant who pays the applicable fee. The department may not
215 approve an application for licensure as an agent, customer
216 service representative, adjuster, service representative,
217 ~~managing general agent,~~ or reinsurance intermediary if
218 fingerprints have not been submitted.

219 (5) The application for license filing fee prescribed in s.
220 624.501 is not subject to refund.

221 (6) Members of the United States Armed Forces and their
222 spouses, and veterans of the United States Armed Forces who have
223 retired within 24 months before application for licensure, are
224 exempt from the application filing fee prescribed in s. 624.501.
225 Qualified individuals must provide a copy of a military
226 identification card, military dependent identification card,
227 military service record, military personnel file, veteran
228 record, discharge paper, ~~or separation document,~~ or a separation
229 document that indicates such members of the United States Armed
230 Forces are currently in good standing or were honorably
231 discharged.

232 (7) Pursuant to the federal Personal Responsibility and
233 Work Opportunity Reconciliation Act of 1996, each party is
234 required to provide his or her social security number in
235 accordance with this section. Disclosure of social security
236 numbers obtained through this requirement must ~~shall~~ be limited
237 to the purpose of administration of the Title IV-D program for
238 child support enforcement.

239 Section 19. Section 626.202, Florida Statutes, is amended
240 to read:

241 626.202 Fingerprinting requirements.—

242 (1) The requirements for completion and submission of



243 fingerprints under this chapter are deemed to be met when an
244 individual currently licensed under this chapter seeks
245 additional licensure and has previously submitted fingerprints
246 to the department within the past 48 months. However, the
247 department may require the individual to file fingerprints if it
248 has reason to believe that an applicant or licensee has been
249 found guilty of, or pleaded guilty or nolo contendere to, a
250 felony or a crime related to the business of insurance in this
251 state or any other state or jurisdiction.

252 (2) If there is a change in ownership or control of any
253 entity licensed under this chapter, or if a new partner,
254 officer, or director is employed or appointed, a set of
255 fingerprints of the new owner, partner, officer, or director
256 must be filed with the department or office within 30 days after
257 the change. The acquisition of 10 percent or more of the voting
258 securities of a licensed entity is considered a change of
259 ownership or control. The fingerprints must be taken by a law
260 enforcement agency or other department-approved entity and be
261 accompanied by the fingerprint processing fee in s. 624.501.

262 Section 20. Subsection (9) of section 626.207, Florida
263 Statutes, is amended to read:

264 626.207 Disqualification of applicants and licensees;
265 penalties against licensees; rulemaking authority.—

266 (9) Section 112.011 does not apply to any applicants for
267 licensure under the Florida Insurance Code, including, but not
268 limited to, agents, agencies, adjusters, adjusting firms, or
269 ~~customer representatives, or managing general agents.~~

270 Section 21. Paragraph (j) of subsection (2) of section
271 626.221, Florida Statutes, is amended to read:



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272 626.221 Examination requirement; exemptions.—

273 (2) However, an examination is not necessary for any of the
274 following:

275 (j) An applicant for license as an all-lines adjuster who
276 has the designation of Accredited Claims Adjuster (ACA) from a
277 regionally accredited postsecondary institution in this state,
278 Associate in Claims (AIC) from the Insurance Institute of
279 America, Professional Claims Adjuster (PCA) from the
280 Professional Career Institute, Professional Property Insurance
281 Adjuster (PPIA) from the HurriClaim Training Academy, Certified
282 Adjuster (CA) from ALL LINES Training, Certified Claims Adjuster
283 (CCA) from AE21 Incorporated, Claims Adjuster Certified
284 Professional (CACP) from WebCE, Inc., or Universal Claims
285 Certification (UCC) from Claims and Litigation Management
286 Alliance (CLM) whose curriculum has been approved by the
287 department and which includes comprehensive analysis of basic
288 property and casualty lines of insurance and testing at least
289 equal to that of standard department testing for the all-lines
290 adjuster license. The department shall adopt rules establishing
291 standards for the approval of curriculum.

292 Section 22. Present subsections (6) and (7) of section
293 626.451, Florida Statutes, are redesignated as subsections (5)
294 and (6), respectively, and subsections (1) and (5) and present
295 subsection (6) of that section are amended, to read:

296 626.451 Appointment of agent or other representative.—

297 (1) Each appointing entity or person designated by the
298 department to administer the appointment process appointing an
299 agent, adjuster, service representative, customer
300 representative, or managing general agent in this state shall



301 file the appointment with the department or office and, at the
302 same time, pay the applicable appointment fee and taxes. Every
303 appointment is ~~shall be~~ subject to the prior issuance of the
304 appropriate agent's, adjuster's, service representative's, or
305 customer representative's, ~~or managing general agent's~~ license.

306 ~~(5) Any law enforcement agency or state attorney's office~~
307 ~~that is aware that an agent, adjuster, service representative,~~
308 ~~customer representative, or managing general agent has pleaded~~
309 ~~guilty or nolo contendere to or has been found guilty of a~~
310 ~~felony shall notify the department or office of such fact.~~

311 ~~(5)(6)~~ Upon the filing of an information or indictment
312 against an agent, adjuster, service representative, or customer
313 representative, ~~or managing general agent,~~ the state attorney
314 shall immediately furnish the department or office a certified
315 copy of the information or indictment.

316 Section 23. Section 626.521, Florida Statutes, is amended
317 to read:

318 626.521 ~~Character,~~ Credit and character reports.-

319 (1) Before appointing ~~As to each applicant who~~ for the
320 first time in this state an ~~is applying and qualifying for a~~
321 ~~license as agent, adjuster, service representative, customer~~
322 ~~representative, or managing general agent, the appointing~~
323 ~~insurer or employer shall its manager or general agent in this~~
324 ~~state, in the case of agents, or the appointing general lines~~
325 ~~agent, in the case of customer representatives, or the employer,~~
326 ~~in the case of service representatives and of adjusters who are~~
327 ~~not to be self-employed, shall coincidentally with such~~
328 ~~appointment or employment~~ secure and thereafter keep on file a
329 full detailed credit and character report ~~made by an established~~



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330 ~~and reputable independent reporting service,~~ relative to the
331 individual so appointed ~~or employed.~~ This subsection does not
332 apply to licensees who self-appoint pursuant to s. 624.501.

333 (2) If requested by the department, the insurer, ~~manager,~~
334 ~~general agent, general lines agent,~~ or employer, as the case may
335 be, must shall furnish to the department, ~~on a form adopted and~~
336 ~~furnished by the department,~~ such information as it reasonably
337 requires relative to such individual and investigation.

338 ~~(3) As to an applicant for an adjuster's or reinsurance~~
339 ~~intermediary's license who is to be self-employed, the~~
340 ~~department may secure, at the cost of the applicant, a full~~
341 ~~detailed credit and character report made by an established and~~
342 ~~reputable independent reporting service relative to the~~
343 ~~applicant.~~

344 ~~(4) Each person who for the first time in this state is~~
345 ~~applying and qualifying for a license as a reinsurance~~
346 ~~intermediary shall file with her or his application for license~~
347 ~~a full, detailed credit and character report for the 5-year~~
348 ~~period immediately prior to the date of application for license,~~
349 ~~made by an established and reputable independent reporting~~
350 ~~service, relative to the individual if a partnership or sole~~
351 ~~proprietorship, or the officers if a corporation or other legal~~
352 ~~entity.~~

353 ~~(3)(5)~~ Information contained in credit or character reports
354 furnished to or secured by the department under this section is
355 confidential and exempt from ~~the provisions of~~ s. 119.07(1).

356 Section 24. Paragraph (f) of subsection (1) of section
357 626.731, Florida Statutes, is amended to read:

358 626.731 Qualifications for general lines agent's license.-



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359 (1) The department shall not grant or issue a license as
360 general lines agent to any individual found by it to be
361 untrustworthy or incompetent or who does not meet each of the
362 following qualifications:

363 ~~(f) The applicant is not a service representative, a~~
364 ~~managing general agent in this state, or a special agent or~~
365 ~~similar service representative of a health insurer which also~~
366 ~~transacts property, casualty, or surety insurance; except that~~
367 ~~the president, vice president, secretary, or treasurer,~~
368 ~~including a member of the board of directors, of a corporate~~
369 ~~insurer, if otherwise qualified under and meeting the~~
370 ~~requirements of this part, may be licensed and appointed as a~~
371 ~~local resident agent.~~

372 Section 25. Subsection (6) of section 626.7351, Florida
373 Statutes, is amended to read:

374 626.7351 Qualifications for customer representative's
375 license.—The department shall not grant or issue a license as
376 customer representative to any individual found by it to be
377 untrustworthy or incompetent, or who does not meet each of the
378 following qualifications:

379 (6) Upon the issuance of the license applied for, the
380 applicant is not an agent or, ~~a service representative, or a~~
381 ~~managing general agent.~~

382 Section 26. Section 626.744, Florida Statutes, is amended
383 to read:

384 626.744 Service representatives, ~~managing general agents;~~
385 application for license.—The application for a license as
386 service representative must ~~or the application for a license as~~
387 ~~managing general agent shall~~ show the applicant's name,



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388 residence address, name of employer, position or title, type of
389 work to be performed by the applicant in this state, and any
390 additional information which the department may reasonably
391 require.

392 Section 27. Section 626.745, Florida Statutes, is amended
393 to read:

394 626.745 Service representatives, managing general agents;
395 managers; activities.—Individuals employed by insurers or their
396 managers, general agents, or representatives as service
397 representatives, and as managing general agents employed for the
398 purpose of or engaged in assisting agents in negotiating and
399 effecting contracts of insurance, shall engage in such
400 activities ~~when, and~~ only when licensed as or, accompanied by a
401 general lines ~~an~~ agent duly licensed and appointed ~~as a resident~~
402 ~~licensee and appointee~~ under this code.

403 Section 28. Subsection (11) of section 626.7451, Florida
404 Statutes, is amended to read:

405 626.7451 Managing general agents; required contract
406 provisions.—No person acting in the capacity of a managing
407 general agent shall place business with an insurer unless there
408 is in force a written contract between the parties which sets
409 forth the responsibility for a particular function, specifies
410 the division of responsibilities, and contains the following
411 minimum provisions:

412 (11) An appointed ~~A licensed~~ managing general agent, when
413 placing business with an insurer under this code, may charge a
414 per-policy fee not to exceed \$25. ~~In no instance shall~~ The
415 aggregate of per-policy fees for a placement of business
416 authorized under this section, when combined with any other per-



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417 policy fee charged by the insurer, may not result in per-policy
418 fees that ~~which~~ exceed the aggregate amount of \$25. The per-
419 policy fee must ~~shall~~ be a component of the insurer's rate
420 filing and must ~~shall~~ be fully earned.

421

422 For the purposes of this section and ss. 626.7453 and 626.7454,
423 the term "controlling person" or "controlling" has the meaning
424 set forth in s. 625.012(5)(b)1., and the term "controlled
425 person" or "controlled" has the meaning set forth in s.
426 625.012(5)(b)2.

427 Section 29. Subsection (1) of section 626.7455, Florida
428 Statutes, is amended to read:

429 626.7455 Managing general agent; responsibility of
430 insurer.—

431 (1) An insurer may not ~~No insurer shall~~ enter into an
432 agreement with any person to manage the business written in this
433 state by the general lines agents appointed by the insurer or
434 appointed by the managing general agent on behalf of the insurer
435 unless the person is properly licensed as an agent and appointed
436 as a managing general agent in this state. An insurer is ~~is shall~~
437 ~~be~~ responsible for the acts of its managing general agent when
438 the agent acts within the scope of his or her authority.

439 Section 30. Paragraph (e) of subsection (3) and subsection
440 (5) of section 626.752, Florida Statutes, are amended to read:

441 626.752 Exchange of business.—

442 (3)

443 (e) The brokering agent shall maintain an appropriate and
444 permanent Brokering Agent's Register, which must ~~shall~~ be a
445 permanent record of ~~bound journal in which~~ chronologically



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446 numbered transactions that are entered no later than the day in
447 which the brokering agent's application bearing the same number
448 is signed by the applicant. The numbers must ~~shall~~ reflect an
449 annual aggregate through numerical sequence and be preceded by
450 the last two digits of the current year. The initial entry must
451 ~~shall~~ contain the number of the transaction, date, time, date of
452 binder, date on which coverage commences, name and address of
453 applicant, type of coverage desired, name of insurer binding the
454 risk or to whom the application is to be submitted, and the
455 amount of any premium collected therefor. By no later than the
456 date following policy delivery, the policy number and coverage
457 expiration date must ~~shall~~ be added to the register.

458 (5) Within 15 days after the last day of each month, any
459 insurer accepting business under this section shall report to
460 the department the name, address, telephone number, and social
461 security number of each agent from which the insurer received
462 more than four ~~24~~ personal lines risks during the calendar year,
463 except for risks being removed from the Citizens Property
464 Insurance Corporation and placed with that insurer by a
465 brokering agent. Once the insurer has reported pursuant to this
466 subsection an agent's name to the department, additional reports
467 on the same agent shall not be required. However, the fee set
468 forth in s. 624.501 must ~~shall~~ be paid for the agent by the
469 insurer for each year until the insurer notifies the department
470 that the insurer is no longer accepting business from the agent
471 pursuant to this section. The insurer may require that the agent
472 reimburse the insurer for the fee.

473 Section 31. Subsection (4) of section 626.793, Florida
474 Statutes, is amended to read:



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475 626.793 Excess or rejected business.-

476 (4) Within 15 days after the last day of each month, any
477 insurer accepting business under this section shall report to
478 the department the name, address, telephone number, and social
479 security number of each agent from which the insurer received
480 more than four ~~24~~ risks during the calendar year. Once the
481 insurer has reported an agent's name to the department pursuant
482 to this subsection, additional reports on the same agent shall
483 not be required. However, the fee set forth in s. 624.501 must
484 ~~shall~~ be paid for the agent by the insurer for each year until
485 the insurer notifies the department that the insurer is no
486 longer accepting business from the agent pursuant to this
487 section. The insurer may require that the agent reimburse the
488 insurer for the fee.

489 Section 32. Section 626.798, Florida Statutes, is amended
490 to read:

491 626.798 Life agent as beneficiary; prohibition; limitations
492 on certain legal authority.-

493 (1) A ~~No~~ life agent may not place or modify ~~shall, with~~
494 ~~respect to the placement of~~ life insurance coverage with a life
495 insurer covering the life of a person who is not a family member
496 of the life agent, ~~handle in his or her capacity as a life agent~~
497 ~~the placement of such coverage~~ when the life agent ~~placing the~~
498 ~~coverage~~ or a family member of the life ~~such~~ agent is the named
499 beneficiary under the life insurance policy or the modification
500 names the life agent or a family member of the life agent as the
501 named beneficiary, unless the life agent or family member of the
502 life agent has an insurable interest in the life of such person.

503 (2) A life ~~However, the~~ agent or a family member of the



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504 ~~life such~~ agent may not ~~serve be designated~~ as a trustee or
505 guardian or ~~accept authority to act under a be granted~~ power of
506 attorney for any person the life agent conducts insurance
507 business with unless he or she is:

508 (a) A family member of the person ~~policy owner~~ or insured;
509 or

510 (b)1. Acting as a fiduciary;

511 2. Licensed as a certified public accountant under s.
512 473.308; and

513 3.a. Registered under s. 203 of the Investment Advisers Act
514 of 1940 as an investment adviser or a representative thereof,
515 and is compliant with the notice filing requirements of s.
516 517.1201; or

517 b. Registered under s. 517.12 as a dealer, an investment
518 adviser, or an associated person, or is a bank or trust company
519 duly authorized to act as a fiduciary.

520 (3) As used in this section, the term: For the purposes of
521 this section, the phrase

522 (a) "Family member" "not a family member," with respect to
523 a life agent, means an individual who is not related to the life
524 agent as father, mother, son, daughter, brother, sister,
525 grandfather, grandmother, uncle, aunt, first cousin, nephew,
526 niece, husband, wife, father-in-law, mother-in-law, brother-in-
527 law, sister-in-law, stepfather, stepmother, stepson,
528 stepdaughter, stepbrother, stepsister, half brother, or half
529 sister.

530 (b) For the purposes of this section, the term "Insurable
531 interest" means that the life agent or family member of the life
532 agent has an actual, lawful, and substantial economic interest



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533 in the safety and preservation of the life of the insured or a
534 reasonable expectation of benefit or advantage from the
535 continued life of the insured.

536 Section 33. Subsection (5) of section 626.837, Florida
537 Statutes, is amended to read:

538 626.837 Excess or rejected business.—

539 (5) Within 15 days after the last day of each month, any
540 insurer accepting business under this section shall report to
541 the department the name, address, telephone number, and social
542 security number of each agent from which the insurer received
543 more than four ~~24~~ risks during the calendar year. Once the
544 insurer has reported pursuant to this subsection an agent's name
545 to the department, additional reports on the same agent shall
546 not be required. However, the fee set forth in s. 624.501 must
547 ~~shall~~ be paid for the agent by the insurer for each year until
548 the insurer notifies the department that the insurer is no
549 longer accepting business from the agent pursuant to this
550 section. The insurer may require that the agent reimburse the
551 insurer for the fee.

552 Section 34. Subsection (5) of section 626.8732, Florida
553 Statutes, is amended to read:

554 626.8732 Nonresident public adjuster's qualifications,
555 bond.—

556 ~~(5) After licensure as a nonresident public adjuster, as a~~
557 ~~condition of doing business in this state, the licensee must~~
558 ~~annually on or before January 1, on a form prescribed by the~~
559 ~~department, submit an affidavit certifying that the licensee is~~
560 ~~familiar with and understands the insurance code and rules~~
561 ~~adopted thereunder and the provisions of the contracts~~



562 ~~negotiated or to be negotiated. Compliance with this filing~~
563 ~~requirement is a condition precedent to the issuance,~~
564 ~~continuation, reinstatement, or renewal of a nonresident public~~
565 ~~adjuster's appointment.~~

566 Section 35. Subsection (4) of section 626.8734, Florida
567 Statutes, is amended to read:

568 626.8734 Nonresident all-lines adjuster license
569 qualifications.—

570 ~~(4) As a condition of doing business in this state as a~~
571 ~~nonresident independent adjuster, the appointee must submit an~~
572 ~~affidavit to the department certifying that the licensee is~~
573 ~~familiar with and understands the insurance laws and~~
574 ~~administrative rules of this state and the provisions of the~~
575 ~~contracts negotiated or to be negotiated. Compliance with this~~
576 ~~filing requirement is a condition precedent to the issuance,~~
577 ~~continuation, reinstatement, or renewal of a nonresident~~
578 ~~independent adjuster's appointment.~~

579 Section 36. Paragraph (h) of subsection (1) of section
580 626.88, Florida Statutes, is amended to read:

581 626.88 Definitions.—For the purposes of this part, the
582 term:

583 (1) "Administrator" is any person who directly or
584 indirectly solicits or effects coverage of, collects charges or
585 premiums from, or adjusts or settles claims on residents of this
586 state in connection with authorized commercial self-insurance
587 funds or with insured or self-insured programs which provide
588 life or health insurance coverage or coverage of any other
589 expenses described in s. 624.33(1) or any person who, through a
590 health care risk contract as defined in s. 641.234 with an



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591 insurer or health maintenance organization, provides billing and
592 collection services to health insurers and health maintenance
593 organizations on behalf of health care providers, other than any
594 of the following persons:

595 (h) A person appointed ~~licensed~~ as a managing general agent
596 in this state, whose activities are limited exclusively to the
597 scope of activities conveyed under such appointment ~~license~~.

598

599 A person who provides billing and collection services to health
600 insurers and health maintenance organizations on behalf of
601 health care providers shall comply with the provisions of ss.
602 627.6131, 641.3155, and 641.51(4).

603 Section 37. Section 626.927, Florida Statutes, is amended
604 to read:

605 626.927 Licensing of surplus lines agent.—

606 (1) ~~Any individual while licensed and appointed as a~~
607 ~~resident general lines agent as to property, casualty, and~~
608 ~~surety insurances, and who is deemed by the department to have~~
609 ~~had sufficient experience in the insurance business to be~~
610 ~~competent for the purpose, and who, within the 4 years~~
611 ~~immediately preceding the date the application was submitted,~~
612 ~~has a minimum of 1 year's experience working for a licensed~~
613 ~~surplus lines agent or who has successfully completed 60 class~~
614 ~~hours in surplus and excess lines in a course approved by the~~
615 ~~department, may be licensed as a surplus lines agent, upon~~
616 ~~taking and successfully passing a written examination as to~~
617 ~~surplus lines, as given by the department.~~

618 (2) ~~Any individual, while licensed as and appointed as a~~
619 ~~managing general agent as defined in s. 626.015, or service~~



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620 ~~representative as defined in s. 626.015, and who otherwise~~
621 ~~possesses all of the other qualifications of a general lines~~
622 ~~agent under this code, and who has a minimum of 1 year of year's~~
623 ~~experience working for a licensed surplus lines agent or who has~~
624 ~~successfully completed 60 class hours in surplus and excess~~
625 ~~lines in a course approved by the department, may, upon taking~~
626 ~~and successfully passing a written examination as to surplus~~
627 ~~lines, as given by the department, be licensed as a surplus~~
628 ~~lines agent solely for the purpose of placing with surplus lines~~
629 ~~insurers property, marine, casualty, or surety coverages~~
630 ~~originated by general lines agents; except that no examination~~
631 ~~as for a general lines agent's license shall be required of any~~
632 ~~managing general agent or service representative who held a~~
633 ~~Florida surplus lines agent's license as of January 1, 1959.~~

634 (2)~~(3)~~ Application for the license must ~~shall~~ be made to
635 the department on forms as designated and furnished by it.

636 (3)~~(4)~~ License and appointment fees in the amount specified
637 in s. 624.501 must ~~shall~~ be paid to the department in advance.
638 The license and appointment of a surplus lines agent continue in
639 force until suspended, revoked, or otherwise terminated. The
640 appointment of a surplus lines agent continues in force until
641 suspended, revoked, or terminated, but is subject to biennial
642 renewal or continuation by the licensee in accordance with
643 procedures prescribed in s. 626.381 for agents in general.

644 (4)~~(5)~~ Examinations as to surplus lines, as required under
645 subsection (1) ~~subsections (1) and (2)~~, are subject to the
646 provisions of part I as applicable to applicants for licenses in
647 general.

648 (5)~~(6)~~ An individual who has been licensed by the



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649 department as a surplus lines agent as provided in this section
650 may be subsequently appointed without additional written
651 examination if his or her application for appointment is filed
652 with the department within 48 months after the date of
653 cancellation or expiration of the prior appointment. The
654 department may require an individual to take and successfully
655 pass an examination as for original issuance of license as a
656 condition precedent to the reinstatement or continuation of the
657 licensee's current license or reinstatement or continuation of
658 the licensee's appointment.

659 Section 38. Subsection (3) of section 626.930, Florida
660 Statutes, is amended to read:

661 626.930 Records of surplus lines agent.—

662 (3) Each surplus lines agent shall maintain all surplus
663 lines business records in his or her general lines agency
664 office, ~~if licensed as a general lines agent, or in his or her~~
665 ~~managing general agency office, if licensed as a managing~~
666 ~~general agent or the full-time salaried employee of such general~~
667 ~~agent.~~

668 Section 39. Subsection (2) of section 626.9892, Florida
669 Statutes, is amended to read:

670 626.9892 Anti-Fraud Reward Program; reporting of insurance
671 fraud.—

672 (2) The department may pay rewards of up to \$25,000 to
673 persons providing information leading to the arrest and
674 conviction of persons committing crimes investigated by the
675 department arising from violations of s. 440.105, s. 624.15, s.
676 626.9541, s. 626.989, s. 790.164, s. 790.165, s. 790.166, s.
677 806.01, s. 806.031, s. 806.10, s. 806.111, s. 817.233, or s.



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678 817.234.

679 Section 40. Subsection (3) of section 633.302, Florida
680 Statutes, is amended to read:

681 633.302 Florida Fire Safety Board; membership; duties;
682 meetings; officers; quorum; compensation; seal.-

683 (3) The State Fire Marshal's term on the board, or that of
684 her or his designee, must ~~shall~~ coincide with the State Fire
685 Marshal's term of office. ~~Of the other six members of the board,~~
686 ~~one member shall be appointed for a term of 1 year, one member~~
687 ~~for a term of 2 years, two members for terms of 3 years, and two~~
688 ~~members for terms of 4 years.~~ All other terms are 4 years and
689 expire on June 30 of the last year of the term. When the term of
690 a member expires, the State Fire Marshal shall appoint a member
691 to fill the vacancy for a term of 4 years. The State Fire
692 Marshal may remove any appointed member for cause. A vacancy in
693 the membership of the board for any cause must ~~shall~~ be filled
694 by appointment by the State Fire Marshal for the balance of the
695 unexpired term.

696 Section 41. Subsection (2), paragraph (a) of subsection
697 (3), and paragraphs (b), (c), and (d) of subsection (4) of
698 section 633.304, Florida Statutes, are amended to read:

699 633.304 Fire suppression equipment; license to install or
700 maintain.-

701 (2) A person who holds a valid fire equipment dealer
702 license may maintain such license in an inactive status during
703 which time he or she may not engage in any work under the
704 definition of the license held. An inactive status license is
705 ~~shall be void after 4 years or when the license is renewed,~~
706 ~~whichever comes first.~~ However, an inactive status license must



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707 be reactivated before December 31 of each odd-numbered year. An
708 inactive status license may not be reactivated unless the
709 continuing education requirements of this chapter have been
710 fulfilled.

711 (3) Each individual actually performing the work of
712 servicing, recharging, repairing, hydrotesting, installing,
713 testing, or inspecting fire extinguishers or preengineered
714 systems must possess a valid and subsisting permit issued by the
715 division. Permittees are limited as to specific type of work
716 performed to allow work no more extensive than the class of
717 license held by the licensee under whom the permittee is
718 working. Permits will be issued by the division as follows:

719 (a) Portable permit: "Portable permittee" means a person
720 who is limited to performing work no more extensive than the
721 employing or contractually related licensee in the servicing,
722 recharging, repairing, installing, or inspecting all types of
723 portable fire extinguishers.

724
725 Any fire equipment permittee licensed pursuant to this
726 subsection who does not want to engage in servicing, inspecting,
727 recharging, repairing, hydrotesting, or installing halon
728 equipment must file an affidavit on a form provided by the
729 division so stating. Permits will be issued by the division to
730 show the work authorized thereunder. It is unlawful, unlicensed
731 activity for a person or firm to falsely hold himself or herself
732 out to perform any service, inspection, recharge, repair,
733 hydrotest, or installation except as specifically described in
734 the permit.

735 (4)



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736 (b) After initial licensure, each licensee or permittee
737 must successfully complete a course or courses of continuing
738 education for fire equipment technicians of at least 16 hours. A
739 license or permit may not be renewed unless the licensee or
740 permittee produces documentation of the completion of at least
741 16 hours of continuing education for fire equipment technicians
742 during the biennial licensure period. A person who is both a
743 licensee and a permittee shall ~~be required to~~ complete 16 hours
744 of continuing education during each renewal period. Each
745 licensee shall ensure that all permittees in his or her
746 employment or through a contractual agreement meet their
747 continuing education requirements. The State Fire Marshal shall
748 adopt rules describing the continuing education requirements and
749 shall have the authority upon reasonable belief, to audit a fire
750 equipment dealer to determine compliance with continuing
751 education requirements.

752 (c) The forms of such licenses and permits and applications
753 therefor must ~~shall~~ be prescribed by the State Fire Marshal; in
754 addition to such other information and data as that officer
755 determines is appropriate and required for such forms, there
756 must ~~shall~~ be included in such forms the following matters. Each
757 such application must be in such form as to provide that the
758 data and other information set forth therein shall be sworn to
759 by the applicant or, if a corporation, by an officer thereof. An
760 application for a permit must include the name of the licensee
761 employing, or contractually related to, such permittee, and the
762 permit issued in pursuance of such application must also set
763 forth the name of such licensee. A permit is valid solely for
764 use by the holder thereof in his or her employment by, or



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765 contractual relationship with, the licensee named in the permit.

766 (d) A license of any class may not be issued or renewed by
767 the division and a license of any class does not remain
768 operative unless:

769 1. The applicant has submitted to the State Fire Marshal
770 evidence of registration as a Florida corporation or evidence of
771 compliance with s. 865.09.

772 2. The State Fire Marshal or his or her designee has by
773 inspection determined that the applicant possesses the equipment
774 required for the class of license sought. The State Fire Marshal
775 shall give an applicant a reasonable opportunity to correct any
776 deficiencies discovered by inspection. To obtain such
777 inspection, an applicant with facilities located outside this
778 state must:

779 a. Provide a notarized statement from a professional
780 engineer licensed by the applicant's state of domicile
781 certifying that the applicant possesses the equipment required
782 for the class of license sought and that all such equipment is
783 operable; or

784 b. Allow the State Fire Marshal or her or his designee to
785 inspect the facility. All costs associated with the State Fire
786 Marshal's inspection must ~~shall~~ be paid by the applicant. The
787 State Fire Marshal, in accordance with s. 120.54, may adopt
788 rules to establish standards for the calculation and
789 establishment of the amount of costs associated with any
790 inspection conducted by the State Fire Marshal under this
791 section. Such rules must ~~shall~~ include procedures for invoicing
792 and receiving funds in advance of the inspection.

793 3. The applicant has submitted to the State Fire Marshal



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794 proof of insurance providing coverage for comprehensive general
795 liability for bodily injury and property damage, products
796 liability, completed operations, and contractual liability. The
797 State Fire Marshal shall adopt rules providing for the amounts
798 of such coverage, but such amounts may not be less than \$300,000
799 for Class A or Class D licenses, \$200,000 for Class B licenses,
800 and \$100,000 for Class C licenses; and the total coverage for
801 any class of license held in conjunction with a Class D license
802 may not be less than \$300,000. The State Fire Marshal may, at
803 any time after the issuance of a license or its renewal, require
804 upon demand, and in no event more than 30 days after notice of
805 such demand, the licensee to provide proof of insurance, on the
806 insurer's a form ~~provided by the State Fire Marshal~~, containing
807 confirmation of insurance coverage as required by this chapter.
808 Failure, for any length of time, to provide proof of insurance
809 coverage as required must ~~shall~~ result in the immediate
810 suspension of the license until proof of proper insurance is
811 provided to the State Fire Marshal. An insurer that ~~which~~
812 provides such coverage shall notify the State Fire Marshal of
813 any change in coverage or of any termination, cancellation, or
814 nonrenewal of any coverage.

815 4. The applicant applies to the State Fire Marshal,
816 provides proof of experience, and successfully completes a
817 prescribed training course offered by the State Fire College or
818 an equivalent course approved by the State Fire Marshal. This
819 subparagraph does not apply to any holder of or applicant for a
820 permit under paragraph (g) or to a business organization or a
821 governmental entity seeking initial licensure or renewal of an
822 existing license solely for the purpose of inspecting,



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823 servicing, repairing, marking, recharging, and maintaining fire
824 extinguishers used and located on the premises of and owned by
825 such organization or entity.

826 5. The applicant has a current retestor identification
827 number that is appropriate for the license for which the
828 applicant is applying and that is listed with the United States
829 Department of Transportation.

830 6. The applicant has passed, with a grade of at least 70
831 percent, a written examination testing his or her knowledge of
832 the rules and statutes governing the activities authorized by
833 the license and demonstrating his or her knowledge and ability
834 to perform those tasks in a competent, lawful, and safe manner.
835 Such examination must ~~shall~~ be developed and administered by the
836 State Fire Marshal, or his or her designee in accordance with
837 policies and procedures of the State Fire Marshal. An applicant
838 shall pay a nonrefundable examination fee of \$50 for each
839 examination or reexamination scheduled. A reexamination may not
840 be scheduled sooner than 30 days after any administration of an
841 examination to an applicant. An applicant may not be permitted
842 to take an examination for any level of license more than a
843 total of four times during 1 year, regardless of the number of
844 applications submitted. As a prerequisite to licensure of the
845 applicant, he or she:

846 a. Must be at least 18 years of age.

847 b. Must have 4 years of proven experience as a fire
848 equipment permittee at a level equal to or greater than the
849 level of license applied for or have a combination of education
850 and experience determined to be equivalent thereto by the State
851 Fire Marshal. Having held a permit at the appropriate level for



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852 the required period constitutes the required experience.

853 c. Must not have been convicted of a felony or a crime
854 punishable by imprisonment of 1 year or more under the law of
855 the United States or of any state thereof or under the law of
856 any other country. "Convicted" means a finding of guilt or the
857 acceptance of a plea of guilty or nolo contendere in any federal
858 or state court or a court in any other country, without regard
859 to whether a judgment of conviction has been entered by the
860 court having jurisdiction of the case. If an applicant has been
861 convicted of any such felony, the applicant is ~~shall be~~ excluded
862 from licensure for a period of 4 years after expiration of
863 sentence or final release by the Florida Commission on Offender
864 Review unless the applicant, before the expiration of the 4-year
865 period, has received a full pardon or has had her or his civil
866 rights restored.

867
868 This subparagraph does not apply to any holder of or applicant
869 for a permit under paragraph (g) or to a business organization
870 or a governmental entity seeking initial licensure or renewal of
871 an existing license solely for the purpose of inspecting,
872 servicing, repairing, marking, recharging, hydrotesting, and
873 maintaining fire extinguishers used and located on the premises
874 of and owned by such organization or entity.

875 Section 42. Subsection (2) of section 633.314, Florida
876 Statutes, is amended to read:

877 633.314 Sale or use of certain types of fire extinguishers
878 prohibited; penalty.—

879 (2) It is unlawful for any person, directly or through an
880 agent, to sell, offer for sale, or give in this state any make,



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881 type, or model of fire extinguisher, either new or used, unless
882 such make, type, or model of extinguisher has first been tested
883 and is currently approved or listed by Underwriters
884 Laboratories, Inc., Factory Mutual Laboratories, Inc., or
885 another testing laboratory recognized by the State Fire Marshal
886 as nationally recognized in accordance with procedures adopted
887 by rule, taking into account the laboratory's facilities,
888 procedures, use of nationally recognized standards, and any
889 other criteria reasonably calculated to reach an informed
890 determination, and unless such extinguisher carries an
891 Underwriters Laboratories, Inc., or manufacturer's serial
892 number. Such serial number must ~~shall~~ be permanently affixed
893 ~~stamped~~ on the manufacturer's identification and instruction
894 plate.

895 Section 43. Subsection (7) of section 633.318, Florida
896 Statutes, is amended to read:

897 633.318 Certificate application and issuance; permit
898 issuance; examination and investigation of applicant.—

899 (7) The State Fire Marshal may, at any time subsequent to
900 the issuance of the certificate or its renewal, require, upon
901 demand and in no event more than 30 days after notice of the
902 demand, the certificateholder to provide proof of insurance
903 coverage on the insurer's a form ~~provided by the State Fire~~
904 ~~Marshal~~ containing confirmation of insurance coverage as
905 required by this chapter. Failure to provide proof of insurance
906 coverage as required, for any length of time, shall result in
907 the immediate suspension of the certificate until proof of
908 insurance is provided to the State Fire Marshal.

909 Section 44. Paragraph (b) of subsection (6) of section



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910 633.408, Florida Statutes, is amended, and paragraph (c) is
911 added to that subsection, to read:

912 633.408 Firefighter and volunteer firefighter training and
913 certification.—

914 (6)

915 (b) A Special Certificate of Compliance only authorizes an
916 individual to serve as an administrative and command head of a
917 fire service provider.

918 1. An individual employed as a fire chief, fire
919 coordinator, fire director, or fire administrator must obtain a
920 Special Certificate of Compliance within 1 year after beginning
921 employment.

922 2. Before beginning employment as a command officer or in a
923 position directing incident outcomes, an individual must obtain
924 a Certificate of Compliance or a Special Certificate of
925 Compliance.

926 (c) In order to retain a Special Certificate of Compliance,
927 every 4 years an individual must:

928 1. Be active as a firefighter;

929 2. Maintain a current and valid Fire Service Instructor
930 Certificate, instruct at least 40 hours during the 4-year
931 period, and provide proof of such instruction to the division,
932 which proof must be registered in an electronic database
933 designated by the division; or

934 3. Within 6 months before the 4-year period expires,
935 successfully complete a Firefighter Retention Refresher Course
936 consisting of a minimum of 40 hours of training as prescribed by
937 rule.

938 Section 45. Paragraph (e) of subsection (1) of section



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939 633.444, Florida Statutes, is amended to read:

940 633.444 Division powers and duties; Florida State Fire
941 College.—

942 (1) The division, in performing its duties related to the
943 Florida State Fire College, specified in this part, shall:

944 ~~(c) Develop a staffing and funding formula for the Florida~~
945 ~~State Fire College. The formula must include differential~~
946 ~~funding levels for various types of programs, must be based on~~
947 ~~the number of full-time equivalent students and information~~
948 ~~obtained from scheduled attendance counts taken the first day of~~
949 ~~each program, and must provide the basis for the legislative~~
950 ~~budget request. As used in this section, a full-time equivalent~~
951 ~~student is equal to a minimum of 900 hours in a technical~~
952 ~~certificate program and 400 hours in a degree-seeking program.~~
953 ~~The funding formula must be as prescribed pursuant to s.~~
954 ~~1011.62, must include procedures to document daily attendance,~~
955 ~~and must require that attendance records be retained for audit~~
956 ~~purposes.~~

957 Section 46. Subsection (8) of section 648.27, Florida
958 Statutes, is amended to read:

959 648.27 Licenses and appointments; general.—

960 (8) ~~An application for a managing general agent's license~~
961 ~~must be made by an insurer who proposes to employ or appoint an~~
962 ~~individual, partnership, association, or corporation as a~~
963 ~~managing general agent. Such application shall contain the~~
964 ~~information required by s. 626.744, and the applicant shall pay~~
965 ~~the same fee as a managing general agent licensed pursuant to~~
966 ~~that section. An individual who is appointed as a managing~~
967 ~~general agent to supervise or manage bail bond business written~~



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968 in this state must also be licensed as a bail bond agent. In the
969 case of an entity, at least one owner, officer, or director at
970 each office location must be licensed as a bail bond agent.

971 Section 47. Present subsection (6) of section 648.34,
972 Florida Statutes, is redesignated as subsection (7), and a new
973 subsection (6) is added to that section, to read:

974 648.34 Bail bond agents; qualifications.—

975 (6) The requirements for completion and submission of
976 fingerprints under this chapter are deemed to be met when an
977 individual currently licensed under this chapter seeks
978 additional licensure and has previously submitted fingerprints
979 to the department in support of an application for licensure
980 under this chapter within the past 48 months. However, the
981 department may require the individual to file fingerprints if it
982 has reason to believe that an applicant or licensee has been
983 found guilty of, or pleaded guilty or nolo contendere to, a
984 felony or a crime related to the business of insurance in this
985 or any other state or jurisdiction.

986 Section 48. For the purpose of incorporating the amendment
987 made by this act to section 626.221, Florida Statutes, in a
988 reference thereto, paragraph (b) of subsection (1) of section
989 626.8734, Florida Statutes, is reenacted to read:

990 626.8734 Nonresident all-lines adjuster license
991 qualifications.—

992 (1) The department shall issue a license to an applicant
993 for a nonresident all-lines adjuster license upon determining
994 that the applicant has paid the applicable license fees required
995 under s. 624.501 and:

996 (b) Has passed to the satisfaction of the department a



997 written Florida all-lines adjuster examination of the scope
998 prescribed in s. 626.241(6); however, the requirement for the
999 examination does not apply to:

1000 1. An applicant who is licensed as an all-lines adjuster in
1001 his or her home state if that state has entered into a
1002 reciprocal agreement with the department;

1003 2. An applicant who is licensed as a nonresident all-lines
1004 adjuster in a state other than his or her home state and a
1005 reciprocal agreement with the appropriate official of the state
1006 of licensure has been entered into with the department; or

1007 3. An applicant who holds a certification set forth in s.
1008 626.221(2)(j).

1009
1010 ===== T I T L E A M E N D M E N T =====

1011 And the title is amended as follows:

1012 Delete lines 56 - 190

1013 and insert:

1014 624.317, F.S.; authorizing the department to conduct
1015 investigations of any, rather than specified, agents
1016 subject to its jurisdiction; amending s. 624.34, F.S.;
1017 conforming a provision to changes made by the act;
1018 amending s. 624.4073, F.S.; prohibiting certain
1019 officers or directors of insolvent insurers from
1020 having direct or indirect control over certain
1021 selection or appointment of officers or directors,
1022 except under certain circumstances; amending ss.
1023 624.4094, 624.501, 624.509, and 625.071, F.S.;
1024 conforming provisions to changes made by the act;
1025 amending s. 626.112, F.S.; requiring a managing



1026 general agent to hold a currently effective producer
1027 license rather than a managing general agent license;
1028 amending s. 626.171, F.S.; deleting applicability of
1029 licensing provisions as to managing general agents;
1030 making a technical change; amending s. 626.202, F.S.;
1031 providing that certain applicants are not required to
1032 resubmit fingerprints to the department under certain
1033 circumstances; authorizing the department to require
1034 these applicants to file fingerprints under certain
1035 circumstances; amending s. 626.207, F.S.; conforming a
1036 provision to changes made by the act; amending s.
1037 626.221, F.S.; adding a designation that exempts
1038 applicants for licensure as an all-lines adjuster from
1039 an examination requirement; amending s. 626.451, F.S.;
1040 deleting a requirement for law enforcement agencies
1041 and state attorney's offices to notify the department
1042 or the Office of Insurance Regulation of certain
1043 felony dispositions; deleting a requirement for the
1044 state attorney to provide the department or office a
1045 certified copy of an information or indictment against
1046 a managing general agent; conforming a provision to
1047 changes made by the act; amending s. 626.521, F.S.;
1048 revising requirements for credit and character reports
1049 secured and kept by insurers or employers appointing
1050 certain insurance representatives; providing
1051 applicability; amending s. 626.731, F.S.; deleting a
1052 certain qualification for licensure as a general lines
1053 agent; amending s. 626.7351, F.S.; revising a
1054 qualification for licensure as a customer



1055 representative; amending s. 626.744, F.S.; conforming
1056 a provision to changes made by the act; amending s.
1057 626.745, F.S.; revising conditions under which service
1058 representatives and managing general agents may engage
1059 in certain activities; amending ss. 626.7451 and
1060 626.7455, F.S.; conforming provisions to changes made
1061 by the act; amending s. 626.752, F.S.; revising a
1062 requirement for the Brokering Agent's Register
1063 maintained by brokering agents; revising the limit on
1064 certain personal lines risks an insurer may receive
1065 from an agent within a specified timeframe before the
1066 insurer must comply with certain reporting
1067 requirements for that agent; amending s. 626.793,
1068 F.S.; revising the limit on certain risks that certain
1069 insurers may receive from a life agent within a
1070 specified timeframe before the insurer must comply
1071 with certain reporting requirements for that agent;
1072 amending s. 626.798, F.S.; revising a prohibition
1073 applicable under certain circumstances to life agents
1074 when the life agent or the life agent's family member
1075 is the named beneficiary under a certain life
1076 insurance policy; revising a prohibition, and
1077 exceptions from the prohibition, applicable to life
1078 agents or their family members relating to certain
1079 trustee, guardian, or power of attorney authority for
1080 any person the life agent conducts insurance business
1081 with; revising definitions; amending s. 626.837, F.S.;
1082 revising the limit on certain risks that certain
1083 insurers may receive from a health agent within a



1084 specified timeframe before the insurer must comply
1085 with certain reporting requirements for that agent;
1086 amending s. 626.8732, F.S.; deleting a requirement for
1087 a licensed nonresident public adjuster to submit a
1088 certain annual affidavit to the department; amending
1089 s. 626.8734, F.S.; deleting a requirement for a
1090 nonresident independent adjuster to submit a certain
1091 annual affidavit to the department; amending s.
1092 626.88, F.S.; conforming a provision to changes made
1093 by the act; amending s. 626.927, F.S.; revising
1094 qualifications for licensure as a surplus lines agent;
1095 amending s. 626.930, F.S.; revising a requirement
1096 relating to the location of a surplus lines agent's
1097 surplus lines business records; amending s. 626.9892,
1098 F.S.; authorizing the department to pay up a specified
1099 amount of rewards under the Anti-Fraud Reward Program
1100 for information leading to the arrest and conviction
1101 of persons guilty of arson; amending s. 633.302, F.S.;
1102 revising the term duration of certain members of the
1103 Florida Fire Safety Board; amending s. 633.304, F.S.;
1104 revising circumstances under which an inactive fire
1105 equipment dealer license is void; specifying the
1106 timeframe when an inactive license must be
1107 reactivated; specifying that permittees performing
1108 certain work on fire equipment may be contracted
1109 rather than employed; revising a requirement for a
1110 certain proof-of-insurance form to be provided by the
1111 insurer rather than the State Fire Marshal; amending
1112 s. 633.314, F.S.; requiring that serial numbers be



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1113 permanently affixed, rather than permanently stamped,
1114 on certain plates of fire extinguishers; amending s.
1115 633.318, F.S.; revising a requirement for a certain
1116 proof-of-insurance form to be provided by the insurer
1117 rather than the State Fire Marshal; amending s.
1118 633.408, F.S.; specifying firefighter certification
1119 requirements for certain individuals employed in
1120 administrative and command positions of a fire service
1121 provider; specifying conditions for an individual to
1122 retain a Special Certificate of Compliance; amending
1123 s. 633.444, F.S.; deleting a requirement for the
1124 Division of State Fire Marshal to develop a staffing
1125 and funding formula for the Florida State Fire
1126 College; amending s. 648.27, F.S.; revising conditions
1127 under which a managing general agent must also be
1128 licensed as a bail bond agent; conforming a provision
1129 to changes made by the act; amending s. 648.34, F.S.;
1130 providing that certain individuals applying for bail
1131 bond agent licensure are not required to resubmit
1132 fingerprints to the department under certain
1133 circumstances; authorizing the department to require
1134 such individuals to file fingerprints under certain
1135 circumstances; reenacting s. 626.8734(1)(b), F.S.,
1136 relating to nonresident all-lines adjuster license
1137 qualifications, to incorporate the amendment made to
1138 s. 626.221, F.S., in a reference thereto; providing an
1139 effective date.