

By the Committee on Business Development & International Trade and Representative Wiles

1 A bill to be entitled
2 An act relating to insurance agencies; amending
3 s. 626.094, F.S.; excluding certain
4 corporations from the definition of insurance
5 agency under certain circumstances for purposes
6 of sharing commissions; providing an effective
7 date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Section 626.094, Florida Statutes, is
12 amended to read:

13 626.094 "Insurance agency" defined.--An "insurance
14 agency" is a business location at which an individual, firm,
15 partnership, corporation, association, or other entity, except
16 for an employee of the individual, firm, partnership,
17 corporation, association, or other entity, and other than an
18 insurer as defined by s. 624.03 or an adjuster as defined by
19 s. 626.101, engages in any activity or employs individuals to
20 engage in any activity which by law may be performed only by a
21 licensed insurance agent or solicitor. A foreign firm,
22 partnership, corporation, association, or other entity which
23 is owned or controlled by a resident of this state or a
24 business entity within this state, which uses or employs a
25 nonresident agent licensed under s. 626.741 and which
26 furnishes advertising or solicitation materials which are
27 distributed in this state or uses unlicensed personnel to
28 initiate customer contact with a nonresident agent, shall not
29 be deemed as an insurance agency for purposes of s. 626.753.

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 Section 2. This act shall take effect July 1, 1999.