

Bill No. CS/HB 339

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Holzendorf moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 1, line 19,		
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16	insert:		
17	Section 1. Subsection (3) of section 626.091, Florida		
18	Statutes, is amended to read:		
19	626.091 "Managing general agent" defined.--		
20	(3) No insurer shall enter into an agreement with any		
21	person, except as provided in subsection (1), to manage the		
22	business written in this state by the general lines agents		
23	appointed by the insurer or appointed by the managing general		
24	agent on behalf of the insurer unless the person is properly		
25	licensed and appointed as a managing general agent in this		
26	state. An insurer shall be responsible for the acts of its		
27	managing general agent when the agent acts within the scope of		
28	his or her authority. <u>A licensed managing general agent may</u>		
29	<u>appoint licensed insurance agents directly, and such agents</u>		
30	<u>may transact insurance on behalf of insurers for which the</u>		
31	<u>appointing managing general agent holds appointments without</u>		

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1 appointment by such insurers, provided that the managing
2 general agent or insurer notifies the department in writing of
3 the agents appointed by the managing general agent who is
4 authorized to transact insurance on behalf of the insurer.
5 Section 626.752 does not apply to any agent appointed by a
6 managing general agent if the managing general agent holds an
7 appointment from the insurer and such insurer or managing
8 general agent has notified the department that such agent may
9 transact insurance on behalf of the insurer. Provisions of
10 this code that reference insurer appointment of agents shall
11 be construed to reference and allow appointments by managing
12 general agents in the same manner and shall have the same
13 legal effect. The appointment fees shall be determined as if
14 the insurer was making the appointment and based on the number
15 of insurers an agent represents. The notice of authorized
16 agents required by this subsection shall be accompanied by a
17 written statement of the insurer certifying that it is bound
18 by the acts of the identified agents within the scope of their
19 employment. The department may adopt rules to implement this
20 section.

21 Section 2. Subsection (2) of section 626.331, Florida
22 Statutes, is amended to read:

23 626.331 Number of appointments permitted or
24 required.--

25 (2) Except as provided in s. 626.091(3),an agent
26 shall be required to have a separate appointment as to each
27 insurer by whom he or she is appointed as an agent.

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29 (Redesignate subsequent sections.)

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

2 And the title is amended as follows:

3 On page 1, line 2, after the semicolon,

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5 insert:

6 amending ss. 626.091, 626.331, F.S.;

7 authorizing a licensed managing general agent

8 to appoint licensed insurance agents directly;

9 providing requirements for such appointments;

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