

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Johnson offered the following:

Amendment (with title amendment)

Remove line 2010, and insert:

Section 20. Effective upon becoming law, to be applied retroactively to the date upon which HB 513 enacted during the 2003 Regular Session of the Legislature becomes law, notwithstanding the provisions of HB 513 enacted during the 2003 Regular Session of the Legislature, subsection (11) of section 626.7451, Florida Statutes 2002, is not amended and is reenacted to read:

626.7451 Managing general agents; required contract provisions.--No person acting in the capacity of a managing general agent shall place business with an insurer unless there is in force a written contract between the parties which sets forth the responsibility for a particular function, specifies

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27 the division of responsibilities, and contains the following
28 minimum provisions:

29 (11) A licensed managing general agent, when placing
30 business with an insurer under this code, may charge a per-
31 policy fee not to exceed \$25. In no instance shall the aggregate
32 of per-policy fees for a placement of business authorized under
33 this section, when combined with any other per-policy fee
34 charged by the insurer, result in per-policy fees which exceed
35 the aggregate amount of \$25. The per-policy fee shall be a
36 component of the insurer's rate filing and shall be fully
37 earned.

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39 For the purposes of this section and ss. 626.7453 and 626.7454,
40 the term "controlling person" or "controlling" has the meaning
41 set forth in s. 625.012(5)(b)1., and the term "controlled
42 person" or "controlled" has the meaning set forth in s.
43 625.012(5)(b)2.

44 Section 21. Except as otherwise specifically provided
45 herein, if any law amended by this act was also

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

49 Remove lines 87-89, and insert:
50 termination prior to such repeal; reenacting without amendment
51 s. 626.7451, F.S., notwithstanding the provisions of HB 513
52 enacted during the 2003 Regular Session of the Legislature;
53 providing for construction of the act in pari material with laws
54 enacted during the 2003 Regular Session of the Legislature;
55 providing an exception;