

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Johnson offered the following:

Amendment (with title amendment)

On page 2, before line 1,

insert:

Section 1. (1) Notwithstanding the amendment to section 626.7451, Florida Statutes, by HB 513, subsection (11) of section 626.7451, Florida Statutes is not amended as provided by that act, but 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 the division of responsibilities, and contains the following minimum provisions:

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

37
 38 For the purposes of this section and ss. 626.7453 and 626.7454,
 39 the term "controlling person" or "controlling" has the meaning
 40 set forth in s. 625.012(5)(b)1., and the term "controlled
 41 person" or "controlled" has the meaning set forth in s.
 42 625.012(5)(b)2.

43 (2) This section shall take effect upon this act becoming
 44 a law, except that, if this act does not become a law before HB
 45 513 becomes a law, this section shall operate retroactively to
 46 the date that HB 513 becomes a law.

47 Section 2. If any law that is amended by this act was also
 48 amended by a law enacted at the 2003 Regular Session of the
 49 Legislature, such laws shall be construed as if they had been
 50 enacted during the same session of the Legislature, and full
 51 effect should be given to each if that is possible.

52
 53 ===== T I T L E A M E N D M E N T =====

54 On page 1, line(s) 2 and 3,
 55 remove: all of said lines

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57 and insert: An act relating to insurance consumer protection;
58 reenacting and amending s. 626.7451(11), F.S., notwithstanding
59 amendments to that subsection by HB 513; providing for
60 retroactive application; providing for construction of the act
61 in pari materia with laws enacted during the Regular Session of
62 the Legislature; creating s.