

By Senator Argenziano

3-1392A-04

1                                   A bill to be entitled  
2           An act relating to insurance agents and  
3           agencies; amending s. 624.318, F.S.;  
4           authorizing the electronic reproduction of  
5           documents relating to the subject of an  
6           investigation; amending s. 624.501, F.S.;  
7           clarifying a license fee; amending s. 626.015,  
8           F.S.; defining the term "personal lines agent";  
9           amending s. 626.016, F.S.; subjecting insurance  
10          agencies to regulation by the Chief Financial  
11          Officer; amending s. 626.022, F.S.; providing  
12          for application; amending s. 626.112, F.S.;  
13          deleting a contingent requirement for insurance  
14          agency licensure; amending s. 626.171, F.S.;  
15          specifying licensure application requirements  
16          for insurance entities other than insurance  
17          agencies; deleting a provision applying to  
18          insurance agencies; amending s. 626.172, F.S.;  
19          revising insurance agency licensure application  
20          requirements; amending s. 626.191, F.S.;  
21          clarifying repeated application provisions;  
22          amending s. 626.201, F.S.; clarifying a  
23          department-authorized interrogatories  
24          provision; amending s. 626.221, F.S.; deleting  
25          provisions that permit certain persons who  
26          previously qualified as managing general  
27          agents, service or customer representatives, or  
28          all-lines adjusters to be licensed as general  
29          lines agents without an examination; providing  
30          for certain adjusters to be relicensed without  
31          examination; amending s. 626.241, F.S.;

1 limiting the scope of personal lines agent  
2 examinations; amending s. 626.2815, F.S.;  
3 revising continuing education requirements;  
4 amending s. 626.311, F.S.; limiting the types  
5 of business that may be transacted by personal  
6 lines agents; amending s. 626.342, F.S.;  
7 including insurance agencies under provisions  
8 prohibiting furnishing supplies to certain  
9 unlicensed agents and imposing civil liability  
10 under certain circumstances; amending s.  
11 626.382, F.S.; requiring licensure renewal  
12 application forms to be adopted; amending s.  
13 626.451, F.S.; clarifying the effect of  
14 appointment; amending s. 626.536, F.S.;  
15 including insurance agencies under an  
16 action-reporting requirement; amending s.  
17 626.561, F.S.; including insurance agencies  
18 under provisions providing funds reporting and  
19 accounting requirements and imposing criminal  
20 penalties; amending s. 626.572, F.S.; including  
21 insurance agencies under provisions prohibiting  
22 rebating; amending s. 626.601, F.S.; including  
23 insurance agencies under provisions authorizing  
24 the department to inquire into improper  
25 conduct; creating s. 626.602, F.S.; authorizing  
26 the Department of Financial Services to  
27 disapprove the use of certain names under  
28 certain circumstances; amending s. 626.6115,  
29 F.S.; providing an additional ground for the  
30 department to take compulsory adverse insurance  
31 agency license actions; amending s. 626.6215,

1 F.S.; providing an additional ground for the  
2 department to take discretionary adverse  
3 insurance agency license actions; amending s.  
4 626.641, F.S.; providing additional criteria  
5 for duration of license suspensions or  
6 revocations; amending s. 626.727, F.S.;  
7 providing that certain provisions apply to  
8 personal lines agents; amending s. 626.732,  
9 F.S.; revising certain education and experience  
10 requirements for personal lines agents;  
11 amending s. 626.7351, F.S.; providing an age  
12 requirement for customer representatives;  
13 amending ss. 626.292 and 626.321, F.S.;  
14 correcting cross-references; repealing s.  
15 626.592, F.S., relating to primary agents;  
16 providing an effective date.

17

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

19

20 Section 1. Subsection (7) is added to section 624.318,  
21 Florida Statutes, to read:

22 624.318 Conduct of examination or investigation;  
23 access to records; correction of accounts; appraisals.--

24 (7)(a) The department or office or its examiners or  
25 investigators may electronically reproduce accounts, records,  
26 documents, files, and information relating to the subject of  
27 the examination or investigation which are in the possession  
28 or control of the person being examined or investigated.

29 (b) Notwithstanding subsection (5), a person being  
30 examined or investigated may not refuse to consent to the  
31 removal of any record, account, document, file, or other

1 property of that person from the offices of such person when  
2 removal is for the purpose of electronic reproduction unless  
3 the person provides reasonable access to electronic  
4 reproduction facilities at the person's office.

5 (c) The reasonable expense of any such reproduction  
6 shall be borne by the person being examined or investigated.

7 (d) This subsection applies to all investigations and  
8 examinations authorized by the Florida Insurance Code.

9 Section 2. Subsection (20) of section 624.501, Florida  
10 Statutes, is amended to read:

11 624.501 Filing, license, appointment, and  
12 miscellaneous fees.--The department, commission, or office, as  
13 appropriate, shall collect in advance, and persons so served  
14 shall pay to it in advance, fees, licenses, and miscellaneous  
15 charges as follows:

16 (20) ~~Insurance agency or~~ Adjusting firm, original or  
17 renewal 3-year license.....\$60.00

18 Section 3. Present subsections (15) through (17) of  
19 section 626.015, Florida Statutes, are redesignated as  
20 subsections (16) through (18), respectively, and a new  
21 subsection (15) is added to that section to read:

22 626.015 Definitions.--As used in this part:

23 (15) "Personal lines agent" means a general lines  
24 agent who is limited to transacting business related to  
25 property and casualty insurance sold to individuals and  
26 families for noncommercial purposes.

27 Section 4. Subsection (1) of section 626.016, Florida  
28 Statutes, is amended to read:

29 626.016 Powers and duties of department, commission,  
30 and office.--

31

1           (1) The powers and duties of the Chief Financial  
2 Officer and the department specified in this part apply only  
3 with respect to insurance agents, insurance agencies, managing  
4 general agents, reinsurance intermediaries, viatical  
5 settlement brokers, customer representatives, service  
6 representatives, and agencies.

7           Section 5. Subsection (3) is added to section 626.022,  
8 Florida Statutes, to read:

9           626.022 Scope of part.--

10           (3) Provisions of this part that apply to general  
11 lines agents and applicants also apply to personal lines  
12 agents and applicants, except where otherwise provided.

13           Section 6. Subsection (7) of section 626.112, Florida  
14 Statutes, is amended to read:

15           626.112 License and appointment required; agents,  
16 customer representatives, adjusters, insurance agencies,  
17 service representatives, managing general agents.--

18           (7)~~(a)~~ No individual, firm, partnership, corporation,  
19 association, or any other entity shall act in its own name or  
20 under a trade name, directly or indirectly, as an insurance  
21 agency, ~~when required to be licensed by this subsection,~~  
22 unless it complies with s. 626.172 with respect to possessing  
23 an insurance agency license for each place of business at  
24 which it engages in any activity which may be performed only  
25 by a licensed insurance agent.

26           ~~(b) An insurance agency shall, as a condition~~  
27 ~~precedent to continuing business, obtain an insurance agency~~  
28 ~~license if the department finds that, with respect to any~~  
29 ~~majority owner, partner, manager, director, officer, or other~~  
30 ~~person who manages or controls the agency, any person has,~~  
31 ~~subsequent to the effective date of this act:~~

1           ~~1. Been found guilty of, or has pleaded guilty or nolo~~  
2 ~~contendere to, a felony in this state or any other state~~  
3 ~~relating to the business of insurance or to an insurance~~  
4 ~~agency, without regard to whether a judgment of conviction has~~  
5 ~~been entered by the court having jurisdiction of the cases.~~

6           ~~2. Employed any individual in a managerial capacity or~~  
7 ~~in a capacity dealing with the public who is under an order of~~  
8 ~~revocation or suspension issued by the department. An~~  
9 ~~insurance agency may request, on forms prescribed by the~~  
10 ~~department, verification of any person's license status. If a~~  
11 ~~request is mailed within 5 working days after an employee is~~  
12 ~~hired, and the employee's license is currently suspended or~~  
13 ~~revoked, the agency shall not be required to obtain a license,~~  
14 ~~if the unlicensed person's employment is immediately~~  
15 ~~terminated.~~

16           ~~3. Operated the agency or permitted the agency to be~~  
17 ~~operated in violation of s. 626.747.~~

18           ~~4. With such frequency as to have made the operation~~  
19 ~~of the agency hazardous to the insurance-buying public or~~  
20 ~~other persons:~~

21           ~~a. Solicited or handled controlled business. This~~  
22 ~~subparagraph shall not prohibit the licensing of any lending~~  
23 ~~or financing institution or creditor, with respect to~~  
24 ~~insurance only, under credit life or disability insurance~~  
25 ~~policies of borrowers from the institutions, which policies~~  
26 ~~are subject to part IX of chapter 627.~~

27           ~~b. Misappropriated, converted, or unlawfully withheld~~  
28 ~~moneys belonging to insurers, insureds, beneficiaries, or~~  
29 ~~others and received in the conduct of business under the~~  
30 ~~license.~~

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1           ~~c. Unlawfully rebated, attempted to unlawfully rebate,~~  
2 ~~or unlawfully divided or offered to divide commissions with~~  
3 ~~another.~~

4           ~~d. Misrepresented any insurance policy or annuity~~  
5 ~~contract, or used deception with regard to any policy or~~  
6 ~~contract, done either in person or by any form of~~  
7 ~~dissemination of information or advertising.~~

8           ~~e. Violated any provision of this code or any other~~  
9 ~~law applicable to the business of insurance in the course of~~  
10 ~~dealing under the license.~~

11           ~~f. Violated any lawful order or rule of the~~  
12 ~~department.~~

13           ~~g. Failed or refused, upon demand, to pay over to any~~  
14 ~~insurer he or she represents or has represented any money~~  
15 ~~coming into his or her hands belonging to the insurer.~~

16           ~~h. Violated the provision against twisting as defined~~  
17 ~~in s. 626.9541(1)(1).~~

18           ~~i. In the conduct of business, engaged in unfair~~  
19 ~~methods of competition or in unfair or deceptive acts or~~  
20 ~~practices, as prohibited under part IX of this chapter.~~

21           ~~j. Willfully overinsured any property insurance risk.~~

22           ~~k. Engaged in fraudulent or dishonest practices in the~~  
23 ~~conduct of business arising out of activities related to~~  
24 ~~insurance or the insurance agency.~~

25           ~~l. Demonstrated lack of fitness or trustworthiness to~~  
26 ~~engage in the business of insurance arising out of activities~~  
27 ~~related to insurance or the insurance agency.~~

28           ~~m. Authorized or knowingly allowed individuals to~~  
29 ~~transact insurance who were not then licensed as required by~~  
30 ~~this code.~~

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1           ~~5. Knowingly employed any person who within the~~  
2 ~~preceding 3 years has had his or her relationship with an~~  
3 ~~agency terminated in accordance with paragraph (d).~~

4           ~~6. Willfully circumvented the requirements or~~  
5 ~~prohibitions of this code.~~

6           ~~(c) An agency required to be licensed in accordance~~  
7 ~~with paragraph (b) shall remain so licensed for a period of 3~~  
8 ~~years from the date of licensure unless the license is~~  
9 ~~suspended or revoked in accordance with law. The department~~  
10 ~~may revoke or suspend the agency authority to do business for~~  
11 ~~activities occurring during the time the agency is licensed,~~  
12 ~~regardless of whether the licensing period has terminated.~~

13           ~~(d) Notwithstanding the provisions of this subsection,~~  
14 ~~no insurance agency shall be required to apply for an agency~~  
15 ~~license if such agency can prove to the department that:~~

16           ~~1. The agency is severing its relationship with each~~  
17 ~~majority owner, partner, manager, director, officer, or other~~  
18 ~~person who managed or controlled such agency and who violated~~  
19 ~~any of the provisions of paragraph (b).~~

20           ~~2. No such majority owner, partner, manager, director,~~  
21 ~~officer, or other person who managed such agency is to be~~  
22 ~~affiliated with such agency in any capacity for a period of 3~~  
23 ~~years from the date of such severance.~~

24           Section 7. Section 626.171, Florida Statutes, is  
25 amended to read:

26           626.171 Application for license as agent, customer  
27 representative, adjuster, service representative, managing  
28 general agent, or reinsurance intermediary.--

29           (1) The department or office shall not issue a license  
30 as agent, customer representative, adjuster, ~~insurance agency,~~  
31 service representative, managing general agent, or reinsurance



1 intermediary to any person except upon written application  
2 therefor filed with it, qualification therefor, and payment in  
3 advance of all applicable fees. Any such application shall be  
4 made under the oath of the applicant and be signed by the  
5 applicant. ~~Beginning November 1, 2002,~~The department shall  
6 accept the uniform application for nonresident agent  
7 licensing. The department may adopt revised versions of the  
8 uniform application by rule.

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

10 (a) His or her full name, age, social security number,  
11 residence address, business address, and mailing address.

12 (b) Proof that he or she has completed or is in the  
13 process of completing any required prelicensing course.

14 (c) Whether he or she has been refused or has  
15 voluntarily surrendered or has had suspended or revoked a  
16 license to solicit insurance by the department or by the  
17 supervising officials of any state.

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

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

24 (f) Such other or additional information as the  
25 department or office may deem proper to enable it to determine  
26 the character, experience, ability, and other qualifications  
27 of the applicant to hold himself or herself out to the public  
28 as an insurance representative.

29 ~~(3) An application for an insurance agency license~~  
30 ~~shall be signed by the owner or owners of the agency. If the~~  
31

1 ~~agency is incorporated, the application shall be signed by the~~  
2 ~~president and secretary of the corporation.~~

3 (3)~~(4)~~ Each application shall be accompanied by  
4 payment of any applicable fee.

5 (4)~~(5)~~ An application for a license as an agent,  
6 customer representative, adjuster, insurance agency, service  
7 representative, managing general agent, or reinsurance  
8 intermediary must be accompanied by a set of the individual  
9 applicant's fingerprints, or, if the applicant is not an  
10 individual, by a set of the fingerprints of the sole  
11 proprietor, majority owner, partners, officers, and directors,  
12 on a form adopted by rule of the department or commission and  
13 accompanied by the fingerprint processing fee set forth in s.  
14 624.501. Fingerprints shall be used to investigate the  
15 applicant's qualifications pursuant to s. 626.201. The  
16 fingerprints shall be taken by a law enforcement agency or  
17 other department-approved entity.

18 (5)~~(6)~~ The application for license filing fee  
19 prescribed in s. 624.501 is not subject to refund.

20 (6)~~(7)~~ Pursuant to the federal Personal Responsibility  
21 and Work Opportunity Reconciliation Act of 1996, each party is  
22 required to provide his or her social security number in  
23 accordance with this section. Disclosure of social security  
24 numbers obtained through this requirement shall be limited to  
25 the purpose of administration of the Title IV-D program for  
26 child support enforcement.

27 Section 8. Section 626.172, Florida Statutes, is  
28 amended to read:

29 626.172 Application for insurance agency license.--

30 (1) The department may issue a license as an insurance  
31 agency to any person only after such person files a written

1 application with the department and qualifies for such  
2 license.~~If any majority owner, partner, officer, or director~~  
3 ~~of an insurance agency:~~

4       ~~(a) Has been found guilty of, or has pleaded guilty or~~  
5 ~~nolo contendere to, a felony relating to the business of~~  
6 ~~insurance in this state or any other state or federal court,~~  
7 ~~regardless of whether a judgment of conviction has been~~  
8 ~~entered by the court having jurisdiction of such cases; or~~

9       ~~(b) Has been denied a license relating to the business~~  
10 ~~of insurance, or has had his or her license to practice or~~  
11 ~~conduct any regulated profession, business, or vocation~~  
12 ~~relating to the business of insurance revoked or suspended, by~~  
13 ~~this or any other state, any nation, any possession or~~  
14 ~~district of the United States, or any court, or any lawful~~  
15 ~~agency thereof;~~

16  
17 ~~the insurance agency and any subsidiary or branch thereof~~  
18 ~~shall obtain a license from the department pursuant to this~~  
19 ~~section.~~

20       (2) An application for an insurance agency license  
21 shall be signed by the owner or owners of the agency. If the  
22 agency is incorporated, the application shall be signed by the  
23 president and secretary of the corporation.The application  
24 for an insurance agency license shall include:

25       (a) The name of each majority owner, partner, officer,  
26 and director of the insurance agency.

27       (b) The residence address of each person required to  
28 be listed in the application under paragraph (a).

29       (c) The name of the insurance agency and its principal  
30 business address.

31

1           (d) The location of each agency office and the name  
2 under which each agency office conducts or will conduct  
3 business.

4           (e) The name of each agent to be in full-time charge  
5 of an agency office and specification of which office.

6           (f) Fingerprints for each of the following:

7           1. A sole proprietor;

8           2. Each partner;

9           3. Each owner of an unincorporated agency;

10           4. Each owner of a corporation whose shares are not  
11 traded on a securities exchange;

12           5. Each owner of 10 percent or more of the voting  
13 shares of a corporation which are traded on a securities  
14 exchange who directs or participates in the operation of the  
15 agency;

16           6. Each officer or director; and

17           7. Any other person who directs or participates in the  
18 operation of the agency, whether through the ownership of  
19 voting securities, by contract, or otherwise;

20  
21 Fingerprints must be taken by a law enforcement agency or  
22 other entity approved by the department and must be  
23 accompanied by the fingerprint processing fee specified in s.  
24 624.501. However, fingerprints do not have to be filed for any  
25 individual who previously submitted fingerprints to the  
26 department and obtained a license under this chapter if the  
27 license is currently valid.~~The name of any person to whom~~  
28 ~~subsection (1) applies.~~

29           (g) Such additional information as the department  
30 requires by promulgated rule to ascertain the trustworthiness  
31 and competence of persons required to be listed on the

1 application and to ascertain that such persons meet the  
2 requirements of this code.

3 Section 9. Section 626.191, Florida Statutes, is  
4 amended to read:

5 626.191 Repeated applications.--The failure of an  
6 applicant to secure a license upon an application shall not  
7 preclude the applicant ~~him or her~~ from applying again as many  
8 times as desired, but the department or office shall not give  
9 consideration to or accept any further application by the same  
10 individual for a similar license dated or filed within 30 days  
11 subsequent to the date the department or office denied the  
12 last application, except as provided in s. 626.281.

13 Section 10. Subsection (1) of section 626.201, Florida  
14 Statutes, is amended to read:

15 626.201 Investigation.--

16 (1) The department or office may propound any  
17 reasonable interrogatories in addition to those contained in  
18 the application, to any applicant for license or appointment,  
19 or on any renewal, reinstatement, or continuation thereof,  
20 relating to the applicant's ~~his or her~~ qualifications,  
21 residence, prospective place of business, and any other matter  
22 which, in the opinion of the department or office, is deemed  
23 necessary or advisable for the protection of the public and to  
24 ascertain the applicant's qualifications.

25 Section 11. Section 626.221, Florida Statutes, is  
26 amended to read:

27 626.221 Examination requirement; exemptions.--

28 (1) The department or office shall not issue any  
29 license as agent, customer representative, or adjuster to any  
30 individual who has not qualified for, taken, and passed to the  
31

1 satisfaction of the department or office a written examination  
2 of the scope prescribed in s. 626.241.

3 (2) However, no such examination shall be necessary in  
4 any of the following cases:

5 (a) An applicant for renewal of appointment as an  
6 agent, customer representative, or adjuster, unless the  
7 department or office determines that an examination is  
8 necessary to establish the competence or trustworthiness of  
9 such applicant.

10 (b) An applicant for limited license as agent for  
11 personal accident insurance, baggage and motor vehicle excess  
12 liability insurance, credit life or disability insurance,  
13 credit insurance, credit property insurance, in-transit and  
14 storage personal property insurance, or communications  
15 equipment property insurance or communication equipment inland  
16 marine insurance.

17 (c) In the discretion of the department or office, an  
18 applicant for reinstatement of license or appointment as an  
19 agent, customer representative, or adjuster whose license has  
20 been suspended within 2 years prior to the date of application  
21 or written request for reinstatement.

22 (d) An applicant who, within 2 years prior to  
23 application for license and appointment as an agent, customer  
24 representative, or adjuster, was a full-time salaried employee  
25 of the department or office and had continuously been such an  
26 employee with responsible insurance duties for not less than 2  
27 years and who had been a licensee within 2 years prior to  
28 employment by the department or office with the same class of  
29 license as that being applied for.

30 ~~(e) An individual who qualified as a managing general~~  
31 ~~agent, service representative, customer representative, or~~

1 ~~all-lines adjuster by passing a general lines agent's~~  
2 ~~examination and subsequently was licensed and appointed and~~  
3 ~~has been actively engaged in all lines of property and~~  
4 ~~casualty insurance may, upon filing an application for~~  
5 ~~appointment, be licensed and appointed as a general lines~~  
6 ~~agent for the same kinds of business without taking another~~  
7 ~~examination if he or she holds any such currently effective~~  
8 ~~license referred to in this paragraph or held the license~~  
9 ~~within 48 months prior to the date of filing the application~~  
10 ~~with the department.~~

11 (e)~~(f)~~ A person who has been licensed and appointed as  
12 a public adjuster, or independent adjuster, or ~~licensed and~~  
13 ~~appointed either as an agent or company adjuster as to all~~  
14 property, casualty, and surety insurances, may be licensed and  
15 appointed as a company ~~adjuster as to any of such insurances,~~  
16 ~~or as an independent, adjuster~~ or public adjuster, for these  
17 types of insurance without additional written examination if  
18 an application for licensure appointment is filed with the  
19 office within 48 months following the date of cancellation or  
20 expiration of the prior appointment.

21 (f)~~(g)~~ A person who has been licensed as an adjuster  
22 for motor vehicle, property and casualty, workers'  
23 compensation, and health insurance may be licensed as such an  
24 adjuster without additional written examination if his or her  
25 application for licensure appointment is filed with the office  
26 within 48 months after cancellation or expiration of the prior  
27 license.

28 (g)~~(h)~~ An applicant for temporary license, except as  
29 provided in this code.

30 (i)~~(i)~~ An applicant for a life or health license who  
31 has received the designation of chartered life underwriter

1 (CLU) from the American College of Life Underwriters and who  
2 has been engaged in the insurance business within the past 4  
3 years, except that such an individual may be examined on  
4 pertinent provisions of this code.

5 (i)~~(j)~~ An applicant for license as a general lines  
6 agent, customer representative, or adjuster who has received  
7 the designation of chartered property and casualty underwriter  
8 (CPCU) from the American Institute for Property and Liability  
9 Underwriters and who has been engaged in the insurance  
10 business within the past 4 years, except that such an  
11 individual may be examined on pertinent provisions of this  
12 code.

13 (j)~~(k)~~ An applicant for license as a customer  
14 representative who has the designation of Accredited Advisor  
15 in Insurance (AAI) from the Insurance Institute of America,  
16 the designation of Certified Insurance Counselor (CIC) from  
17 the Society of Certified Insurance Service Counselors, the  
18 designation of Accredited Customer Service Representative  
19 (ACSR) from the Independent Insurance Agents of America, the  
20 designation of Certified Professional Service Representative  
21 (CPSR) from the National Foundation for Certified Professional  
22 Service Representatives, the designation of Certified  
23 Insurance Service Representative (CISR) from the Society of  
24 Certified Insurance Service Representatives. Also, an  
25 applicant for license as a customer representative who has the  
26 designation of Certified Customer Service Representative  
27 (CCSR) from the Florida Association of Insurance Agents, or  
28 the designation of Registered Customer Service Representative  
29 (RCSR) from a regionally accredited postsecondary institution  
30 in this state, or the designation of Professional Customer  
31 Service Representative (PCSR) from the Professional Career



1 Institute, whose curriculum has been approved by the  
2 department and whose curriculum includes comprehensive  
3 analysis of basic property and casualty lines of insurance and  
4 testing at least equal to that of standard department testing  
5 for the customer representative license. The department shall  
6 adopt rules establishing standards for the approval of  
7 curriculum.

8 (k)~~(l)~~ An applicant for license as an adjuster who has  
9 the designation of Accredited Claims Adjuster (ACA) from a  
10 regionally accredited postsecondary institution in this state,  
11 or the designation of Professional Claims Adjuster (PCA) from  
12 the Professional Career Institute, whose curriculum has been  
13 approved by the office and whose curriculum includes  
14 comprehensive analysis of basic property and casualty lines of  
15 insurance and testing at least equal to that of standard  
16 office testing for the all-lines adjuster license. The  
17 commission shall adopt rules establishing standards for the  
18 approval of curriculum.

19 (l)~~(m)~~ An applicant qualifying for a license transfer  
20 under s. 626.292, if the applicant:

- 21 1. Has successfully completed the prelicensing  
22 examination requirements in the applicant's previous state  
23 which are substantially equivalent to the examination  
24 requirements in this state, as determined by the department;
- 25 2. Has received the designation of chartered property  
26 and casualty underwriter (CPCU) from the American Institute  
27 for Property and Liability Underwriters and has been engaged  
28 in the insurance business within the past 4 years if applying  
29 to transfer a general lines agent license; or
- 30 3. Has received the designation of chartered life  
31 underwriter (CLU) from the American College of Life

1 Underwriters and has been engaged in the insurance business  
2 within the past 4 years, if applying to transfer a life or  
3 health agent license.

4 (n) An applicant for a nonresident agent license, if  
5 the applicant:

6 1. Has successfully completed prelicensing examination  
7 requirements in the applicant's home state which are  
8 substantially equivalent to the examination requirements in  
9 this state, as determined by the department, as a requirement  
10 for obtaining a resident license in his or her home state;

11 2. Held a general lines agent license, life agent  
12 license, or health agent license prior to the time a written  
13 examination was required;

14 3. Has received the designation of chartered property  
15 and casualty underwriter (CPCU) from the American Institute  
16 for Property and Liability Underwriters and has been engaged  
17 in the insurance business within the past 4 years, if an  
18 applicant for a nonresident license as a general lines agent;  
19 or

20 4. Has received the designation of chartered life  
21 underwriter (CLU) from the American College of Life  
22 Underwriters and has been in the insurance business within the  
23 past 4 years, if an applicant for a nonresident license as a  
24 life agent or health agent.

25 (3) An individual who is already licensed as a  
26 customer representative shall not be licensed as a general  
27 lines agent without application and examination for such  
28 license.

29 Section 12. Subsection (8) is added to section  
30 626.241, Florida Statutes, to read:

31 626.241 Scope of examination.--

1           (8) An examination for licensure as a personal lines  
2 agent shall be limited in scope to the kinds of business  
3 transacted under such license.

4           Section 13. Paragraphs (a), (b), (c), and (d) of  
5 subsection (3) of section 626.2815, Florida Statutes, are  
6 amended to read:

7           626.2815 Continuing education required; application;  
8 exceptions; requirements; penalties.--

9           (3)(a) Each person subject to the provisions of this  
10 section must, except as set forth in paragraphs (b), ~~and~~ (c),  
11 and (d), complete a minimum of 24 hours of continuing  
12 education courses every 2 years in basic or higher-level  
13 courses prescribed by this section or in other courses  
14 approved by the department. Each person subject to the  
15 provisions of this section must complete, as part of his or  
16 her required number of continuing education hours, 3 hours of  
17 continuing education, approved by the department, every 2  
18 years on the subject matter of ethics and a minimum of 2 hours  
19 of continuing education, approved by the department, every 2  
20 years on the subject matter of unauthorized entities engaging  
21 in the business of insurance. The scope of the topic of  
22 unauthorized entities shall include the Florida Nonprofit  
23 Multiple Employer Welfare Arrangement Act and the Employee  
24 Retirement Income Security Act, 29 U.S.C. ss. 1001 et seq., as  
25 it relates to the provision of health insurance by employers  
26 to their employees and the regulation thereof.

27           (b) ~~For compliance periods beginning on January 1,~~  
28 ~~1998,~~A person who has been licensed for a period of 6 or more  
29 years must complete 20 hours every 2 years in intermediate or  
30 advanced-level courses prescribed by this section or in other  
31 courses approved by the department.

1           (c) A licensee who has been licensed for 25 years or  
2 more and is a CLU or a CPCU or has a Bachelor of Science  
3 degree in risk management or insurance with evidence of 18 or  
4 more semester hours in upper-level insurance-related courses  
5 must complete 10 ~~12~~ hours of continuing education courses  
6 every 2 years in courses prescribed by this section or in  
7 other courses approved by the department, ~~except, for~~  
8 ~~compliance periods beginning January 1, 1998, the licensees~~  
9 ~~described in this paragraph shall be required to complete 10~~  
10 ~~hours of continuing education courses every 2 years.~~

11           (d) Any person who holds a license as a customer  
12 representative, limited customer representative, title agent,  
13 motor vehicle physical damage and mechanical breakdown  
14 insurance agent, crop or hail and multiple-peril crop  
15 insurance agent, or as an industrial fire insurance or  
16 burglary insurance agent and who is not a licensed life or  
17 health insurance agent, shall be required to complete 10 ~~12~~  
18 hours of continuing education courses every 2 years, ~~except,~~  
19 ~~for compliance periods beginning on January 1, 1998, each~~  
20 ~~licensee subject to this paragraph shall be required to~~  
21 ~~complete 10 hours of continuing education courses every 2~~  
22 ~~years.~~

23           Section 14. Subsection (1) of section 626.311, Florida  
24 Statutes, is amended to read:

25           626.311 Scope of license.--

26           (1) Except as to personal lines agents and limited  
27 licenses, ~~the applicant for license as~~ a general lines agent  
28 or customer representative shall qualify for all property,  
29 marine, casualty, and surety lines except bail bonds which  
30 require a separate license under chapter 648. The license of  
31 a general lines agent may also cover health insurance if

1 health insurance is included in the agent's appointment by an  
2 insurer as to which the licensee is also appointed as agent  
3 for property or casualty or surety insurance. The license of  
4 a customer representative shall provide, in substance, that it  
5 covers all of such classes of insurance that his or her  
6 appointing general lines agent or agency is currently so  
7 authorized to transact under the general lines agent's license  
8 and appointments. No such license shall be issued limited to  
9 particular classes of insurance except for bail bonds which  
10 require a separate license under chapter 648 or for personal  
11 lines agents. Personal lines agents are limited to transacting  
12 business related to property and casualty insurance sold to  
13 individuals and families for noncommercial purposes.

14 Section 15. Subsections (1) and (2) of section  
15 626.342, Florida Statutes, are amended to read:

16 626.342 Furnishing supplies to unlicensed life,  
17 health, or general lines agent prohibited; civil liability.--

18 (1) An insurer, a managing general agent, an insurance  
19 agency, or an agent, directly or through any representative,  
20 may not furnish to any agent any blank forms, applications,  
21 stationery, or other supplies to be used in soliciting,  
22 negotiating, or effecting contracts of insurance on its behalf  
23 unless such blank forms, applications, stationery, or other  
24 supplies relate to a class of business with respect to which  
25 the agent is licensed and appointed, whether for that insurer  
26 or another insurer.

27 (2) Any insurer, general agent, insurance agency, or  
28 agent who furnishes any of the supplies specified in  
29 subsection (1) to any agent or prospective agent not appointed  
30 to represent the insurer and who accepts from or writes any  
31 insurance business for such agent or agency is subject to

1 civil liability to any insured of such insurer to the same  
2 extent and in the same manner as if such agent or prospective  
3 agent had been appointed or authorized by the insurer or such  
4 agent to act in its or his or her behalf. The provisions of  
5 this subsection do not apply to insurance risk apportionment  
6 plans under s. 627.351.

7 Section 16. Section 626.382, Florida Statutes, is  
8 amended to read:

9 626.382 Continuation, expiration of license; insurance  
10 agencies.--The license of any insurance agency shall be issued  
11 for a period of 3 years, subject to the payment of the  
12 original and renewal fees ~~prescribed in s. 624.501~~, and shall  
13 continue in force until canceled, suspended, revoked, or  
14 otherwise terminated. Renewal requests shall be made by  
15 submitting to the department a form adopted by departmental  
16 rule.

17 Section 17. Subsection (3) of section 626.451, Florida  
18 Statutes, is amended to read:

19 626.451 Appointment of agent or other  
20 representative.--

21 (3) By authorizing the effectuation of the appointment  
22 of an agent, adjuster, service representative, customer  
23 representative, or managing general agent the appointing  
24 entity is thereby certifying to the department that it is  
25 willing to be bound by the acts of the agent, adjuster,  
26 service representative, customer representative, or managing  
27 general agent, within the scope of the licensee's employment  
28 or appointment.

29 Section 18. Section 626.536, Florida Statutes, is  
30 amended to read:

31

1           626.536 Reporting of actions.--~~Each~~ An agent and  
2 insurance agency shall submit to the department, within 30  
3 days after the final disposition of any administrative action  
4 taken against the agent by a governmental agency in this or  
5 any other state or jurisdiction relating to the business of  
6 insurance, the sale of securities, or activity involving  
7 fraud, dishonesty, trustworthiness, or breach of a fiduciary  
8 duty, a copy of the order, consent to order, or other relevant  
9 legal documents. The department may adopt rules implementing  
10 the provisions of this section.

11           Section 19. Subsections (1) and (3) of section  
12 626.561, Florida Statutes, are amended to read:

13           626.561 Reporting and accounting for funds.--

14           (1) All premiums, return premiums, or other funds  
15 belonging to insurers or others received by an insurance  
16 agency, agent, customer representative, or adjuster in  
17 transactions under the ~~his or her~~ license are trust funds  
18 received by the licensee in a fiduciary capacity. An agent or  
19 insurance agency shall keep the funds belonging to each  
20 insurer for which an agent ~~he or she~~ is not appointed, other  
21 than a surplus lines insurer, in a separate account so as to  
22 allow the department or office to properly audit such funds.  
23 The licensee in the applicable regular course of business  
24 shall account for and pay the same to the insurer, insured, or  
25 other person entitled thereto.

26           (3) Any insurance agency, agent, customer  
27 representative, or adjuster who, not being lawfully entitled  
28 thereto, either temporarily or permanently diverts or  
29 misappropriates such funds or any portion thereof or deprives  
30 the other person of a benefit therefrom commits the offense  
31 specified below:

1 (a) If the funds diverted or misappropriated are \$300  
2 or less, a misdemeanor of the first degree, punishable as  
3 provided in s. 775.082 or s. 775.083.

4 (b) If the funds diverted or misappropriated are more  
5 than \$300, but less than \$20,000, a felony of the third  
6 degree, punishable as provided in s. 775.082, s. 775.083, or  
7 s. 775.084.

8 (c) If the funds diverted or misappropriated are  
9 \$20,000 or more, but less than \$100,000, a felony of the  
10 second degree, punishable as provided in s. 775.082, s.  
11 775.083, or s. 775.084.

12 (d) If the funds diverted or misappropriated are  
13 \$100,000 or more, a felony of the first degree, punishable as  
14 provided in s. 775.082, s. 775.083, or s. 775.084.

15 Section 20. Subsections (1) and (2) of section  
16 626.572, Florida Statutes, are amended to read:

17 626.572 Rebating; when allowed.--

18 (1) No insurance agency or agent shall rebate any  
19 portion of a ~~his or her~~ commission except as follows:

20 (a) The rebate shall be available to all insureds in  
21 the same actuarial class.

22 (b) The rebate shall be in accordance with a rebating  
23 schedule filed by the agent with the insurer issuing the  
24 policy to which the rebate applies.

25 (c) The rebating schedule shall be uniformly applied  
26 in that all insureds who purchase the same policy through the  
27 agent for the same amount of insurance receive the same  
28 percentage rebate.

29 (d) Rebates shall not be given to an insured with  
30 respect to a policy purchased from an insurer that prohibits  
31 its agents from rebating commissions.



1 (e) The rebate schedule is prominently displayed in  
2 public view in the agent's place of doing business and a copy  
3 is available to insureds on request at no charge.

4 (f) The age, sex, place of residence, race,  
5 nationality, ethnic origin, marital status, or occupation of  
6 the insured or location of the risk is not utilized in  
7 determining the percentage of the rebate or whether a rebate  
8 is available.

9 (2) The insurance agency or agent shall maintain a  
10 copy of all rebate schedules for the most recent 5 years and  
11 their effective dates.

12 Section 21. Subsection (1) of section 626.601, Florida  
13 Statutes, is amended to read:

14 626.601 Improper conduct; inquiry; fingerprinting.--

15 (1) The department or office may, upon its own motion  
16 or upon a written complaint signed by any interested person  
17 and filed with the department or office, inquire into any  
18 alleged improper conduct of any licensed insurance agency,  
19 agent, adjuster, service representative, managing general  
20 agent, customer representative, title insurance agent, title  
21 insurance agency, continuing education course provider,  
22 instructor, school official, or monitor group under this code.  
23 The department or office may thereafter initiate an  
24 investigation of any such licensee if it has reasonable cause  
25 to believe that the licensee has violated any provision of the  
26 insurance code. During the course of its investigation, the  
27 department or office shall contact the licensee being  
28 investigated unless it determines that contacting such person  
29 could jeopardize the successful completion of the  
30 investigation or cause injury to the public.

31

1           Section 22. Section 626.602, Florida Statutes, is  
2 created to read:

3           626.602 Insurance agency names; disapproval.--The  
4 department may disapprove the use of any true or fictitious  
5 name, other than the bona fide natural name of an individual,  
6 by any insurance agency on any of the following grounds:

7           (1) The name is an interference with or is too similar  
8 to a name already filed and in use by another agency or  
9 insurer;

10           (2) The use of the name may mislead the public in any  
11 respect;

12           (3) The name states or implies that the agency is an  
13 insurer, motor club, hospital service plan, state or federal  
14 agency, charitable organization, or entity that primarily  
15 provides advice and counsel rather than sells or solicits  
16 insurance, or is entitled to engage in insurance activities  
17 not permitted under licenses held or applied for;

18           (4) The name states or implies that the agency is an  
19 underwriter. This subsection does not prevent a natural person  
20 who is a life agent from describing himself or herself as an  
21 underwriter or from using the designation "chartered life  
22 underwriter" or who is a general lines agent from using the  
23 designation "chartered property and casualty underwriter," if  
24 the person is entitled to use such terms to describe himself  
25 or herself; or

26           (5) The agency has already filed and not discontinued  
27 the use of more than two names, including the true name. This  
28 subsection does not prevent a licensee who has lawfully  
29 purchased or succeeded to the business or businesses of other  
30 licensees from using for each such business not more than two  
31 additional names, true or fictitious, consisting of names used

1 by the licensee's predecessors in the conduct of such  
2 businesses.

3 Section 23. Section 626.6115, Florida Statutes, is  
4 amended to read:

5 626.6115 Grounds for compulsory refusal, suspension,  
6 or revocation of insurance agency license.--The department  
7 shall deny, suspend, revoke, or refuse to continue the license  
8 of any insurance agency if it finds, as to any insurance  
9 agency or as to any majority owner, partner, manager,  
10 director, officer, or other person who manages or controls  
11 such agency, that any ~~either one or both~~ of the following  
12 applicable grounds exist:

13 (1) Lack by the agency of one or more of the  
14 qualifications for the license as specified in this code;~~-~~

15 (2) Material misstatement, misrepresentation, or fraud  
16 in obtaining the license or in attempting to obtain the  
17 license; or

18 (3) Denial, suspension, or revocation of a license to  
19 practice or conduct any regulated profession, business, or  
20 vocation relating to the business of insurance by this state,  
21 any other state, any nation, any possession or district of the  
22 United States, any court, or any lawful agency thereof.

23 Section 24. Subsection (6) is added to section  
24 626.6215, Florida Statutes, to read:

25 626.6215 Grounds for discretionary refusal,  
26 suspension, or revocation of insurance agency license.--The  
27 department may, in its discretion, deny, suspend, revoke, or  
28 refuse to continue the license of any insurance agency if it  
29 finds, as to any insurance agency or as to any majority owner,  
30 partner, manager, director, officer, or other person who

31

1 manages or controls such insurance agency, that any one or  
2 more of the following applicable grounds exist:

3 (6) Failure to take corrective action or report a  
4 violation to the department within 30 days after an individual  
5 licensee's violation is known or should have been known by one  
6 or more of the partners, officers, or managers acting on  
7 behalf of the agency.

8 Section 25. Subsections (1) and (2) of section  
9 626.641, Florida Statutes, are amended to read:

10 626.641 Duration of suspension or revocation.--

11 (1) The department or office shall, in its order  
12 suspending a license or appointment or in its order suspending  
13 the eligibility of a person to hold or apply for such license  
14 or appointment, specify the period during which the suspension  
15 is to be in effect; but such period shall not exceed 2 years.  
16 The license, appointment, or eligibility shall remain  
17 suspended during the period so specified, subject, however, to  
18 any rescission or modification of the order by the department  
19 or office, or modification or reversal thereof by the court,  
20 prior to expiration of the suspension period. A license,  
21 appointment, or eligibility which has been suspended shall not  
22 be reinstated except upon request for such reinstatement; but  
23 the department or office shall not grant such reinstatement if  
24 it finds that the circumstance or circumstances for which the  
25 license, appointment, or eligibility was suspended still exist  
26 or are likely to recur or if grounds exist to deny the license  
27 or appointment pursuant to s. 626.611, s. 626.6115, s.  
28 626.621, or s. 626.6215.

29 (2) No person or appointee under any license or  
30 appointment revoked by the department or office, nor any  
31 person whose eligibility to hold same has been revoked by the

1 department or office, shall have the right to apply for  
2 another license or appointment under this code within 2 years  
3 from the effective date of such revocation or, if judicial  
4 review of such revocation is sought, within 2 years from the  
5 date of final court order or decree affirming the revocation.  
6 An applicant for another license or appointment pursuant to  
7 this subsection must qualify for licensure in the same manner  
8 as a first-time applicant and is subject to denial of the  
9 application pursuant to s. 626.611, s. 626.6115, s. 626.621,  
10 or s. 626.6215.The department or office shall not, however,  
11 grant a new license or appointment or reinstate eligibility to  
12 hold such license or appointment if it finds that the  
13 circumstance or circumstances for which the eligibility was  
14 revoked or for which the previous license or appointment was  
15 revoked still exist or are likely to recur; if an individual's  
16 license as agent or customer representative or eligibility to  
17 hold same has been revoked upon the ground specified in s.  
18 626.611(12), the department or office shall refuse to grant or  
19 issue any new license or appointment so applied for.

20 Section 26. Section 626.727, Florida Statutes, is  
21 amended to read:

22 626.727 Scope of this part.--This part applies only to  
23 general lines agents, customer representatives, service  
24 representatives, and managing general agents, all as defined  
25 in s. 626.015. Provisions of this part which apply to general  
26 lines agents and applicants also apply to personal lines  
27 agents and applicants, except where otherwise provided.

28 Section 27. Subsection (1) of section 626.732, Florida  
29 Statutes, is amended to read:

30 626.732 Requirement as to knowledge, experience, or  
31 instruction.--

1           (1) Except as provided in subsection (3), no applicant  
2 for a license as a general lines agent or personal lines  
3 agent, except for a chartered property and casualty  
4 underwriter (CPCU), other than as to a limited license as to  
5 baggage and motor vehicle excess liability insurance, credit  
6 property insurance, credit insurance, in-transit and storage  
7 personal property insurance, or communications equipment  
8 property insurance or communication equipment inland marine  
9 insurance, shall be qualified or licensed unless within the 4  
10 years immediately preceding the date the application for  
11 license is filed with the department the applicant has:

12           (a) Taught or successfully completed classroom courses  
13 in insurance, 3 hours of which shall be on the subject matter  
14 of ethics, satisfactory to the department at a school,  
15 college, or extension division thereof, approved by the  
16 department;

17           (b) Completed a correspondence course in insurance, 3  
18 hours of which shall be on the subject matter of ethics,  
19 satisfactory to the department and regularly offered by  
20 accredited institutions of higher learning in this state and,  
21 except if he or she is applying for a limited license under s.  
22 626.321, for licensure as a general lines agent, has had at  
23 least 6 months of responsible insurance duties as a  
24 substantially full-time bona fide employee in all lines of  
25 property and casualty insurance set forth in the definition of  
26 general lines agent under s. 626.015 or, for licensure as a  
27 personal lines agent, has completed at least 3 months in  
28 responsible insurance duties as a substantially full-time  
29 employee in property and casualty insurance sold to  
30 individuals and families for noncommercial purposes;

31

1           (c) For licensure as a general lines agent, completed  
2 at least 1 year in responsible insurance duties as a  
3 substantially full-time bona fide employee in all lines of  
4 property and casualty insurance, exclusive of aviation and wet  
5 marine and transportation insurances but not exclusive of  
6 boats of less than 36 feet in length or aircraft not held out  
7 for hire, as set forth in the definition of a general lines  
8 agent under s. 626.015, without the education requirement  
9 mentioned in paragraph (a) or paragraph (b) or, for licensure  
10 as a personal lines agent, has completed at least 6 months in  
11 responsible insurance duties as a substantially full-time  
12 employee in property and casualty insurance sold to  
13 individuals and families for noncommercial purposes without  
14 the education requirement in paragraph (a) or paragraph (b);

15 or

16           (d)1. For licensure as a general lines agent,  
17 completed at least 1 year of responsible insurance duties as a  
18 licensed and appointed customer representative or limited  
19 customer representative in commercial or personal lines of  
20 property and casualty insurance and 40 hours of classroom  
21 courses approved by the department covering the areas of  
22 property, casualty, surety, health, and marine insurance; or

23           2. For licensure as a personal lines agent, completed  
24 at least 6 months of responsible duties as a licensed and  
25 appointed customer representative or limited customer  
26 representative in property and casualty insurance sold to  
27 individuals and families for noncommercial purposes and 20  
28 hours of classroom courses approved by the department which  
29 are related to property and casualty insurance sold to  
30 individuals and families for noncommercial purposes; or

31

1           ~~(e)1.2.~~ For licensure as a general lines agent,  
2 completed at least 1 year of responsible insurance duties as a  
3 licensed and appointed service representative in either  
4 commercial or personal lines of property and casualty  
5 insurance and 80 hours of classroom courses approved by the  
6 department covering the areas of property, casualty, surety,  
7 health, and marine insurance; ~~or-~~

8           2. For licensure as a personal lines agent, completed  
9 at least 6 months of responsible insurance duties as a  
10 licensed and appointed service representative in property and  
11 casualty insurance sold to individuals and families for  
12 noncommercial purposes and 40 hours of classroom courses  
13 approved by the department related to property and casualty  
14 insurance sold to individuals and families for noncommercial  
15 purposes.

16           Section 28. Subsection (1) of section 626.7351,  
17 Florida Statutes, is amended to read:

18           626.7351 Qualifications for customer representative's  
19 license.--The department shall not grant or issue a license as  
20 customer representative to any individual found by it to be  
21 untrustworthy or incompetent, or who does not meet each of the  
22 following qualifications:

23           (1) The applicant is a natural person 18 years of age  
24 or older.

25           Section 29. Paragraph (c) of subsection (2) of section  
26 626.292, Florida Statutes, is amended to read:

27           626.292 Transfer of license from another state.--

28           (2) To qualify for a license transfer, an individual  
29 applicant must meet the following requirements:

30           (c) The individual shall submit a completed  
31 application for this state which is received by the department



1 within 90 days after the date the individual became a resident  
2 of this state, along with payment of the applicable fees set  
3 forth in s. 624.501 and submission of the following documents:

4 1. A certification issued by the appropriate official  
5 of the applicant's home state identifying the type of license  
6 and lines of authority under the license and stating that, at  
7 the time the license from the home state was canceled, the  
8 applicant was in good standing in that state or that the  
9 state's Producer Database records, maintained by the National  
10 Association of Insurance Commissioners, its affiliates, or  
11 subsidiaries, indicate that the agent is or was licensed in  
12 good standing for the line of authority requested.

13 2. A set of the individual applicant's fingerprints in  
14 accordance with s. 626.171~~(4)(5)~~.

15 Section 30. Paragraph (a) of subsection (2) of section  
16 626.321, Florida Statutes, is amended to read:

17 626.321 Limited licenses.--

18 (2) An entity applying for a license under this  
19 section is required to:

20 (a) Submit only one application for a license under s.  
21 626.171. The requirements of s. 626.171~~(4)(5)~~ shall only apply  
22 to the officers and directors of the entity submitting the  
23 application.

24 Section 31. Section 626.592, Florida Statutes, is  
25 repealed.

26 Section 32. This act shall take effect October 1,  
27 2004.

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SENATE SUMMARY

Revises provisions relating to insurance agents and agencies. Provides for the Chief Financial Officer to regulate agencies. Authorizes the electronic reproduction of certain documents pertaining to an investigation. Clarifies certain fees and defines the term "personal lines agent." Deletes a requirement for agency licensure. Specifies certain licensure requirements for entities other than agencies. Revises agency licensure application requirements. Clarifies provisions pertaining to interrogatories authorized by the department. Deletes provisions related to exemptions from examination requirements for certain licenses. Exempts certain former licensees from examination requirements. Limits the content in personal lines agent licensure examinations. Revises continuing education requirements. Limits the type of business that a personal lines agent may conduct. Prohibits agencies from furnishing supplies to certain unlicensed agents and provides penalties. Establishes licensure renewal application form requirements. Establishes reporting requirements for agencies and provides penalties. Authorizes the Department of Financial Services to inquire into improper conduct. Provides for the department to prohibit the use of certain names. Provides grounds for the department to take compulsory or discretionary adverse insurance agency license actions. Provides additional grounds for disciplinary action. Applies certain existing provisions to personal lines agents and revises certain education and experience requirements for such agents. Corrects cross-references. Repeals a provision regulating primary agents. (See bill for details.)