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1 A bill to be entitled

2 An act relating to insurance agents and agencies; amending
3 s. 626.016, F.S.; subjecting insurance agencies to
4 regulation by the Chief Financial Officer; amending s.
5 626.112, F.S.; deleting a contingent requirement for
6 insurance agency licensure; amending s. 626.171, F.S.;
7 specifying licensure application requirements for
8 insurance entities other than insurance agencies; deleting
9 a provision applying to insurance agencies; amending s.
10 626.172, F.S.; revising insurance agency licensure
11 application requirements; amending s. 626.191, F.S.;
12 clarifying repeated application provisions; amending s.
13 626.201, F.S.; clarifying a department-authorized
14 interrogatories provision; amending s. 626.342, F.S.;
15 including insurance agencies under provisions prohibiting
16 furnishing supplies to certain unlicensed agents and
17 imposing civil liability under certain circumstances;
18 amending s. 626.536, F.S.; including insurance agencies
19 under an action-reporting requirement; amending s.
20 626.561, F.S.; including insurance agencies under
21 provisions providing funds reporting and accounting
22 requirements and imposing criminal penalties; amending s.
23 626.572, F.S.; including insurance agencies under
24 provisions prohibiting rebating; amending s. 626.601,
25 F.S.; including insurance agencies under provisions
26 authorizing the department to inquire into improper
27 conduct; creating s. 626.602, F.S.; authorizing the
28 Department of Financial Services to disapprove the use of
29 certain names under certain circumstances; amending s.

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30 626.6115, F.S.; providing an additional ground for the
 31 department to take compulsory adverse insurance agency
 32 license actions; amending s. 626.6215, F.S.; providing an
 33 additional ground for the department to take discretionary
 34 adverse insurance agency license actions; amending s.
 35 626.641, F.S.; providing additional criteria for duration
 36 of license suspensions or revocations; amending ss.
 37 626.292 and 626.321, F.S.; correcting cross references;
 38 providing an effective date.

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

42 Section 1. Subsection (1) of section 626.016, Florida
 43 Statutes, is amended to read:

44 626.016 Powers and duties of department, commission, and
 45 office.--

46 (1) The powers and duties of the Chief Financial Officer
 47 and the department specified in this part apply only with
 48 respect to insurance agents, insurance agencies, managing
 49 general agents, reinsurance intermediaries, viatical settlement
 50 brokers, customer representatives, service representatives, and
 51 agencies.

52 Section 2. Subsection (7) of section 626.112, Florida
 53 Statutes, is amended to read:

54 626.112 License and appointment required; agents, customer
 55 representatives, adjusters, insurance agencies, service
 56 representatives, managing general agents.--

57 (7)~~(a)~~ No individual, firm, partnership, corporation,
 58 association, or any other entity shall act in its own name or

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59 under a trade name, directly or indirectly, as an insurance
 60 agency, ~~when required to be licensed by this subsection,~~ unless
 61 it complies with s. 626.172 with respect to possessing an
 62 insurance agency license for each place of business at which it
 63 engages in any activity which may be performed only by a
 64 licensed insurance agent.

65 ~~(b) An insurance agency shall, as a condition precedent to~~
 66 ~~continuing business, obtain an insurance agency license if the~~
 67 ~~department finds that, with respect to any majority owner,~~
 68 ~~partner, manager, director, officer, or other person who manages~~
 69 ~~or controls the agency, any person has, subsequent to the~~
 70 ~~effective date of this act:~~

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

76 ~~2. Employed any individual in a managerial capacity or in~~
 77 ~~a capacity dealing with the public who is under an order of~~
 78 ~~revocation or suspension issued by the department. An insurance~~
 79 ~~agency may request, on forms prescribed by the department,~~
 80 ~~verification of any person's license status. If a request is~~
 81 ~~mailed within 5 working days after an employee is hired, and the~~
 82 ~~employee's license is currently suspended or revoked, the agency~~
 83 ~~shall not be required to obtain a license, if the unlicensed~~
 84 ~~person's employment is immediately terminated.~~

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

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87 ~~4. With such frequency as to have made the operation of~~
 88 ~~the agency hazardous to the insurance-buying public or other~~
 89 ~~persons:~~

90 ~~a. Solicited or handled controlled business. This~~
 91 ~~subparagraph shall not prohibit the licensing of any lending or~~
 92 ~~financing institution or creditor, with respect to insurance~~
 93 ~~only, under credit life or disability insurance policies of~~
 94 ~~borrowers from the institutions, which policies are subject to~~
 95 ~~part IX of chapter 627.~~

96 ~~b. Misappropriated, converted, or unlawfully withheld~~
 97 ~~moneys belonging to insurers, insureds, beneficiaries, or others~~
 98 ~~and received in the conduct of business under the license.~~

99 ~~c. Unlawfully rebated, attempted to unlawfully rebate, or~~
 100 ~~unlawfully divided or offered to divide commissions with~~
 101 ~~another.~~

102 ~~d. Misrepresented any insurance policy or annuity~~
 103 ~~contract, or used deception with regard to any policy or~~
 104 ~~contract, done either in person or by any form of dissemination~~
 105 ~~of information or advertising.~~

106 ~~e. Violated any provision of this code or any other law~~
 107 ~~applicable to the business of insurance in the course of dealing~~
 108 ~~under the license.~~

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

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

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

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

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

119 ~~k. Engaged in fraudulent or dishonest practices in the~~
 120 ~~conduct of business arising out of activities related to~~
 121 ~~insurance or the insurance agency.~~

122 ~~l. Demonstrated lack of fitness or trustworthiness to~~
 123 ~~engage in the business of insurance arising out of activities~~
 124 ~~related to insurance or the insurance agency.~~

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

127 ~~5. Knowingly employed any person who within the preceding~~
 128 ~~3 years has had his or her relationship with an agency~~
 129 ~~terminated in accordance with paragraph (d).~~

130 ~~6. Willfully circumvented the requirements or prohibitions~~
 131 ~~of this code.~~

132 ~~(c) An agency required to be licensed in accordance with~~
 133 ~~paragraph (b) shall remain so licensed for a period of 3 years~~
 134 ~~from the date of licensure unless the license is suspended or~~
 135 ~~revoked in accordance with law. The department may revoke or~~
 136 ~~suspend the agency authority to do business for activities~~
 137 ~~occurring during the time the agency is licensed, regardless of~~
 138 ~~whether the licensing period has terminated.~~

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

142 ~~1. The agency is severing its relationship with each~~
 143 ~~majority owner, partner, manager, director, officer, or other~~

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144 ~~person who managed or controlled such agency and who violated~~
 145 ~~any of the provisions of paragraph (b).~~

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

150 Section 3. Section 626.171, Florida Statutes, is amended
 151 to read:

152 626.171 Application for license as agent, customer
 153 representative, adjuster, service representative, managing
 154 general agent, or reinsurance intermediary.--

155 (1) The department or office shall not issue a license as
 156 agent, customer representative, adjuster, ~~insurance agency,~~
 157 service representative, managing general agent, or reinsurance
 158 intermediary to any person except upon written application
 159 therefor filed with it, qualification therefor, and payment in
 160 advance of all applicable fees. Any such application shall be
 161 made under the oath of the applicant and be signed by the
 162 applicant. ~~Beginning November 1, 2002,~~ The department shall
 163 accept the uniform application for nonresident agent licensing.
 164 The department may adopt revised versions of the uniform
 165 application by rule.

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

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

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

171 (c) Whether he or she has been refused or has voluntarily
 172 surrendered or has had suspended or revoked a license to solicit

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173 insurance by the department or by the supervising officials of
 174 any state.

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

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

181 (f) Such other or additional information as the department
 182 or office may deem proper to enable it to determine the
 183 character, experience, ability, and other qualifications of the
 184 applicant to hold himself or herself out to the public as an
 185 insurance representative.

186 ~~(3) An application for an insurance agency license shall~~
 187 ~~be signed by the owner or owners of the agency. If the agency is~~
 188 ~~incorporated, the application shall be signed by the president~~
 189 ~~and secretary of the corporation.~~

190 (3)~~(4)~~ Each application shall be accompanied by payment of
 191 any applicable fee.

192 (4)~~(5)~~ An application for a license as an agent, customer
 193 representative, adjuster, insurance agency, service
 194 representative, managing general agent, or reinsurance
 195 intermediary must be accompanied by a set of the individual
 196 applicant's fingerprints, or, if the applicant is not an
 197 individual, by a set of the fingerprints of the sole proprietor,
 198 majority owner, partners, officers, and directors, on a form
 199 adopted by rule of the department or commission and accompanied
 200 by the fingerprint processing fee set forth in s. 624.501.
 201 Fingerprints shall be used to investigate the applicant's

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202 qualifications pursuant to s. 626.201. The fingerprints shall be
 203 taken by a law enforcement agency or other department-approved
 204 entity.

205 ~~(5)(6)~~ The application for license filing fee prescribed
 206 in s. 624.501 is not subject to refund.

207 ~~(6)(7)~~ Pursuant to the federal Personal Responsibility and
 208 Work Opportunity Reconciliation Act of 1996, each party is
 209 required to provide his or her social security number in
 210 accordance with this section. Disclosure of social security
 211 numbers obtained through this requirement shall be limited to
 212 the purpose of administration of the Title IV-D program for
 213 child support enforcement.

214 Section 4. Section 626.172, Florida Statutes, is amended
 215 to read:

216 626.172 Application for insurance agency license.--

217 (1) The department may issue a license as an insurance
 218 agency to any person only after such person files a written
 219 application with the department, qualifies for such license, and
 220 pays all applicable fees in advance. ~~If any majority owner,~~
 221 ~~partner, officer, or director of an insurance agency:~~

222 ~~(a) Has been found guilty of, or has pleaded guilty or~~
 223 ~~nolo contendere to, a felony relating to the business of~~
 224 ~~insurance in this state or any other state or federal court,~~
 225 ~~regardless of whether a judgment of conviction has been entered~~
 226 ~~by the court having jurisdiction of such cases; or~~

227 ~~(b) Has been denied a license relating to the business of~~
 228 ~~insurance, or has had his or her license to practice or conduct~~
 229 ~~any regulated profession, business, or vocation relating to the~~
 230 ~~business of insurance revoked or suspended, by this or any other~~

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231 ~~state, any nation, any possession or district of the United~~
 232 ~~States, or any court, or any lawful agency thereof;~~

233
 234 ~~the insurance agency and any subsidiary or branch thereof shall~~
 235 ~~obtain a license from the department pursuant to this section.~~

236 (2) An application for an insurance agency license shall
 237 be signed by the owner or owners of the agency. If the agency is
 238 incorporated, the application shall be signed by the president
 239 and secretary of the corporation. The application for an
 240 insurance agency license shall include:

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

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

245 (c) The name of the insurance agency and its principal
 246 business address.

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

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

251 (f) Fingerprints of each owner of 10 percent or more of
 252 voting securities, partner, officer, and director. The
 253 fingerprints must be taken by a law enforcement agency or other
 254 entity approved by the department and must be accompanied by the
 255 fingerprint processing fee specified in s. 624.501. ~~The name of~~
 256 ~~any person to whom subsection (1) applies.~~

257 (g) Such additional information as the department requires
 258 by promulgated rule to ascertain the trustworthiness and
 259 competence of persons required to be listed on the application

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260 and to ascertain that such persons meet the requirements of this
 261 code.

262 Section 5. Section 626.191, Florida Statutes, is amended
 263 to read:

264 626.191 Repeated applications.--The failure of an
 265 applicant to secure a license upon an application shall not
 266 preclude the applicant ~~him or her~~ from applying again as many
 267 times as desired, but the department or office shall not give
 268 consideration to or accept any further application by the same
 269 individual for a similar license dated or filed within 30 days
 270 subsequent to the date the department or office denied the last
 271 application, except as provided in s. 626.281.

272 Section 6. Subsection (1) of section 626.201, Florida
 273 Statutes, is amended to read:

274 626.201 Investigation.--

275 (1) The department or office may propound any reasonable
 276 interrogatories in addition to those contained in the
 277 application, to any applicant for license or appointment, or on
 278 any renewal, reinstatement, or continuation thereof, relating to
 279 the applicant's ~~his or her~~ qualifications, residence,
 280 prospective place of business, and any other matter which, in
 281 the opinion of the department or office, is deemed necessary or
 282 advisable for the protection of the public and to ascertain the
 283 applicant's qualifications.

284 Section 7. Subsections (1) and (2) of section 626.342,
 285 Florida Statutes, are amended to read:

286 626.342 Furnishing supplies to unlicensed life, health, or
 287 general lines agent prohibited; civil liability.--

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288 (1) An insurer, a managing general agent, an insurance
 289 agency, or an agent, directly or through any representative, may
 290 not furnish to any agent any blank forms, applications,
 291 stationery, or other supplies to be used in soliciting,
 292 negotiating, or effecting contracts of insurance on its behalf
 293 unless such blank forms, applications, stationery, or other
 294 supplies relate to a class of business with respect to which the
 295 agent is licensed and appointed, whether for that insurer or
 296 another insurer.

297 (2) Any insurer, general agent, insurance agency, or agent
 298 who furnishes any of the supplies specified in subsection (1) to
 299 any agent or prospective agent not appointed to represent the
 300 insurer and who accepts from or writes any insurance business
 301 for such agent or agency is subject to civil liability to any
 302 insured of such insurer to the same extent and in the same
 303 manner as if such agent or prospective agent had been appointed
 304 or authorized by the insurer or such agent to act in its or his
 305 or her behalf. The provisions of this subsection do not apply to
 306 insurance risk apportionment plans under s. 627.351.

307 Section 8. Section 626.536, Florida Statutes, is amended
 308 to read:

309 626.536 Reporting of actions.--Each ~~An~~ agent and insurance
 310 agency shall submit to the department, within 30 days after the
 311 final disposition of any administrative action taken against the
 312 agent by a governmental agency in this or any other state or
 313 jurisdiction relating to the business of insurance, the sale of
 314 securities, or activity involving fraud, dishonesty,
 315 trustworthiness, or breach of a fiduciary duty, a copy of the
 316 order, consent to order, or other relevant legal documents. The

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317 department may adopt rules implementing the provisions of this
 318 section.

319 Section 9. Subsections (1) and (3) of section 626.561,
 320 Florida Statutes, are amended to read:

321 626.561 Reporting and accounting for funds.--

322 (1) All premiums, return premiums, or other funds
 323 belonging to insurers or others received by an insurance agency,
 324 agent, customer representative, or adjuster in transactions
 325 under the ~~his or her~~ license are trust funds received by the
 326 licensee in a fiduciary capacity. An agent or insurance agency
 327 shall keep the funds belonging to each insurer for which an
 328 agent ~~he or she~~ is not appointed, other than a surplus lines
 329 insurer, in a separate account so as to allow the department or
 330 office to properly audit such funds. The licensee in the
 331 applicable regular course of business shall account for and pay
 332 the same to the insurer, insured, or other person entitled
 333 thereto.

334 (3) Any insurance agency, agent, customer representative,
 335 or adjuster who, not being lawfully entitled thereto, either
 336 temporarily or permanently diverts or misappropriates such funds
 337 or any portion thereof or deprives the other person of a benefit
 338 therefrom commits the offense specified below:

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

342 (b) If the funds diverted or misappropriated are more than
 343 \$300, but less than \$20,000, a felony of the third degree,
 344 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

351 Section 10. Subsections (1) and (2) of section 626.572,
 352 Florida Statutes, are amended to read:

353 626.572 Rebating; when allowed.--

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

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

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

361 (c) The rebating schedule shall be uniformly applied in
 362 that all insureds who purchase the same policy through the agent
 363 for the same amount of insurance receive the same percentage
 364 rebate.

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

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

371 (f) The age, sex, place of residence, race, nationality,
 372 ethnic origin, marital status, or occupation of the insured or

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373 location of the risk is not utilized in determining the
 374 percentage of the rebate or whether a rebate is available.

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

378 Section 11. Subsection (1) of section 626.601, Florida
 379 Statutes, is amended to read:

380 626.601 Improper conduct; inquiry; fingerprinting.--

381 (1) The department or office may, upon its own motion or
 382 upon a written complaint signed by any interested person and
 383 filed with the department or office, inquire into any alleged
 384 improper conduct of any licensed insurance agency, agent,
 385 adjuster, service representative, managing general agent,
 386 customer representative, title insurance agent, title insurance
 387 agency, continuing education course provider, instructor, school
 388 official, or monitor group under this code. The department or
 389 office may thereafter initiate an investigation of any such
 390 licensee if it has reasonable cause to believe that the licensee
 391 has violated any provision of the insurance code. During the
 392 course of its investigation, the department or office shall
 393 contact the licensee being investigated unless it determines
 394 that contacting such person could jeopardize the successful
 395 completion of the investigation or cause injury to the public.

396 Section 12. Section 626.602, Florida Statutes, is created
 397 to read:

398 626.602 Insurance agency names; disapproval.--The
 399 department may disapprove the use of any true or fictitious name,
 400 other than the bona fide natural name of an individual, by any
 401 insurance agency on any of the following grounds:

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

404 (2) The use of the name may mislead the public in any
 405 respect;

406 (3) The name states or implies that the agency is an
 407 insurer, motor club, or hospital service plan or is entitled to
 408 engage in insurance activities not permitted under licenses held
 409 or applied for;

410 (4) The name states or implies that the agency is an
 411 underwriter. This subsection does not prevent a natural person
 412 who is a life agent from describing himself or herself as an
 413 underwriter or from using the designation "chartered life
 414 underwriter" or who is a general lines agent from using the
 415 designation "chartered property and casualty underwriter," if the
 416 person is entitled to use such terms to describe himself or
 417 herself; or

418 (5) The agency has already filed and not discontinued the
 419 use of more than two names including the true name. This
 420 subsection does not prevent a licensee who has lawfully purchased
 421 or succeeded to the business or businesses of other licensees
 422 from using for each such business not more than two additional
 423 names, true or fictitious, consisting of names used by the
 424 licensee's predecessors in the conduct of such businesses.

425 Section 13. Section 626.6115, Florida Statutes, is amended
 426 to read:

427 626.6115 Grounds for compulsory refusal, suspension, or
 428 revocation of insurance agency license.--The department shall
 429 deny, suspend, revoke, or refuse to continue the license of any
 430 insurance agency if it finds, as to any insurance agency or as

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431 to any majority owner, partner, manager, director, officer, or
 432 other person who manages or controls such agency, that any
 433 ~~either one or both~~ of the following applicable grounds exist:

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

436 (2) Material misstatement, misrepresentation, or fraud in
 437 obtaining the license or in attempting to obtain the license; or

438 (3) Denial, suspension, or revocation of a license to
 439 practice or conduct any regulated profession, business, or
 440 vocation relating to the business of insurance by this state, any
 441 other state, any nation, any possession or district of the United
 442 States, any court, or any lawful agency thereof.

443 Section 14. Subsection (6) is added to section 626.6215,
 444 Florida Statutes, to read:

445 626.6215 Grounds for discretionary refusal, suspension, or
 446 revocation of insurance agency license.--The department may, in
 447 its discretion, deny, suspend, revoke, or refuse to continue the
 448 license of any insurance agency if it finds, as to any insurance
 449 agency or as to any majority owner, partner, manager, director,
 450 officer, or other person who manages or controls such insurance
 451 agency, that any one or more of the following applicable grounds
 452 exist:

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

458 Section 15. Subsections (1) and (2) of section 626.641,
 459 Florida Statutes, are amended to read:

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460 626.641 Duration of suspension or revocation.--
 461 (1) The department or office shall, in its order
 462 suspending a license or appointment or in its order suspending
 463 the eligibility of a person to hold or apply for such license or
 464 appointment, specify the period during which the suspension is
 465 to be in effect; but such period shall not exceed 2 years. The
 466 license, appointment, or eligibility shall remain suspended
 467 during the period so specified, subject, however, to any
 468 rescission or modification of the order by the department or
 469 office, or modification or reversal thereof by the court, prior
 470 to expiration of the suspension period. A license, appointment,
 471 or eligibility which has been suspended shall not be reinstated
 472 except upon request for such reinstatement; but the department
 473 or office shall not grant such reinstatement if it finds that
 474 the circumstance or circumstances for which the license,
 475 appointment, or eligibility was suspended still exist or are
 476 likely to recur or if grounds exist to deny the license or
 477 appointment pursuant to s. 626.611, s. 626.6115, s. 626.621, or
 478 s. 626.6215.

479 (2) No person or appointee under any license or
 480 appointment revoked by the department or office, nor any person
 481 whose eligibility to hold same has been revoked by the
 482 department or office, shall have the right to apply for another
 483 license or appointment under this code within 2 years from the
 484 effective date of such revocation or, if judicial review of such
 485 revocation is sought, within 2 years from the date of final
 486 court order or decree affirming the revocation. An applicant for
 487 another license or appointment pursuant to this subsection must
 488 qualify for licensure in the same manner as a first-time

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489 applicant and is subject to denial of the application pursuant
 490 to s. 626.611, s. 626.6115, s. 626.621, or s. 626.6215. The
 491 department or office shall not, however, grant a new license or
 492 appointment or reinstate eligibility to hold such license or
 493 appointment if it finds that the circumstance or circumstances
 494 for which the eligibility was revoked or for which the previous
 495 license or appointment was revoked still exist or are likely to
 496 recur; if an individual's license as agent or customer
 497 representative or eligibility to hold same has been revoked upon
 498 the ground specified in s. 626.611(12), the department or office
 499 shall refuse to grant or issue any new license or appointment so
 500 applied for.

501 Section 16. Paragraph (c) of subsection (2) of section
 502 626.292, Florida Statutes, is amended to read:

503 626.292 Transfer of license from another state.--

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

506 (c) The individual shall submit a completed application
 507 for this state which is received by the department within 90
 508 days after the date the individual became a resident of this
 509 state, along with payment of the applicable fees set forth in s.
 510 624.501 and submission of the following documents:

511 1. A certification issued by the appropriate official of
 512 the applicant's home state identifying the type of license and
 513 lines of authority under the license and stating that, at the
 514 time the license from the home state was canceled, the applicant
 515 was in good standing in that state or that the state's Producer
 516 Database records, maintained by the National Association of
 517 Insurance Commissioners, its affiliates, or subsidiaries,

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518 indicate that the agent is or was licensed in good standing for
 519 the line of authority requested.

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

522 Section 17. Paragraph (a) of subsection (2) of section
 523 626.321, Florida Statutes, is amended to read:

524 626.321 Limited licenses.--

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

527 (a) Submit only one application for a license under s.
 528 626.171. The requirements of s. 626.171(4)~~(5)~~ shall only apply
 529 to the officers and directors of the entity submitting the
 530 application.

531 Section 18. This act shall take effect upon becoming a
 532 law.