

Bill No. SB 1002

Barcode 735970

CHAMBER ACTION

Senate

House

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The Committee on Banking and Insurance (Posey) recommended the following amendment:

Senate Amendment (with title amendment)

On page 2, line 22, through
page 6, line 3, delete those lines

and insert:

2. A license covering only communications equipment, for the loss, theft, mechanical failure, malfunction of or damage to, communications equipment. The license may be issued only to:

- a. Employees or authorized representatives of a licensed general lines agent;
- b. The lead ~~Each~~ business location of a retail vendor of communications equipment and its branch locations; or
- c. Employees, agents, or authorized representatives of a retail vendor of communications equipment.

The license authorizes the sale of such policies, or certificates under a group master policy, only with respect to

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1 the sale of, or provision of communications service for,
2 communications equipment. A general lines agent is not
3 required to obtain a license under this subparagraph to offer
4 or sell communications equipment property insurance or
5 communication equipment inland marine insurance. The license
6 also authorizes sales of service warranty agreements covering
7 only communications equipment to the same extent as if
8 licensed under s. 634.419 or s. 634.420. The provisions of
9 this chapter requiring submission of fingerprints do not apply
10 to communications equipment licenses issued to qualified
11 entities under this subparagraph. Licensees offering policies
12 under this subparagraph must receive initial training from,
13 and have a contractual relationship with, a general lines
14 agent. For the purposes of this subparagraph, the term
15 "communications equipment" means handsets, pagers, personal
16 digital assistants, portable computers, automatic answering
17 devices, and other devices or accessories used to originate or
18 receive communications signals or service, and includes
19 services related to the use of such devices, such as consumer
20 access to a wireless network; however, the term does not
21 include telecommunications switching equipment, transmission
22 wires, cell site transceiver equipment, or other equipment and
23 systems used by telecommunications companies to provide
24 telecommunications service to consumers.

25 3. A branch location licensed pursuant to paragraph
26 (2)(b) may, in lieu of obtaining an appointment from an
27 insurer or warranty association as provided in paragraph
28 (2)(c), obtain a single appointment from the associated lead
29 location licensee licensed under paragraph (2)(a) and pay the
30 prescribed appointment fee under s. 624,501 provided that the
31 lead location has a single appointment from each insurer or

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1 warranty association represented and such appointment provides
2 that it applies to the lead location and all of its branch
3 locations. Any branch location individually appointed by an
4 insurer under paragraph (2)(c) prior to January 1, 2006, may
5 replace its appointments with an appointment from its lead
6 location at no charge. Branch location appointments shall
7 renew on the first annual anniversary of licensure of the lead
8 location occurring more than 24 months after the initial
9 appointment date and every 24 months thereafter.
10 Notwithstanding s. 624.501, after July 1, 2006, the renewal
11 fee applicable to such branch location appointments shall be
12 \$30 per appointment.

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

15 (c) Pay the applicable fees for a license as
16 prescribed in s. 624.501, be appointed under s. 626.112, and
17 pay the prescribed appointment fee under s. 624.501. A
18 licensed and appointed entity shall be directly responsible
19 and accountable for all acts of the licensee's employees.

20 Section 2. Subsection (1) of section 626.471, Florida
21 Statutes, is amended to read:

22 626.471 Termination of appointment.--

23 (1) Subject to an appointee's contract rights, an
24 appointing entity may terminate its appointment of any
25 appointee at any time. Except when termination is upon a
26 ground which would subject the appointee to suspension or
27 revocation of his or her license and appointment under s.
28 626.611 or s. 626.621, ~~and except as provided by contract~~
29 ~~between the appointing entity and the appointee,~~ the
30 appointing entity shall give at least 120 ~~60~~ days' advance
31 written notice of its intention to terminate such appointment

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1 to the appointee, either by delivery thereof to the appointee
 2 in person or by mailing it, postage prepaid, addressed to the
 3 appointee at his or her last address of record with the
 4 appointing entity. Notice so mailed shall be deemed to have
 5 been given when deposited in a United States Postal Service
 6 mail depository.

7 Section 3. Paragraph (f) of subsection (1) of section
 8 626.731, Florida Statutes, is amended to read:

9 626.731 Qualifications for general lines agent's
 10 license.--

11 (1) The department shall not grant or issue a license
 12 as general lines agent to any individual found by it to be
 13 untrustworthy or incompetent or who does not meet each of the
 14 following qualifications:

15 (f) The applicant is not a service representative, a
 16 managing general agent in this state, or a special agent or
 17 similar service representative of a health insurer which also
 18 transacts property, casualty, or surety insurance; except that
 19 the president, vice president, secretary, or treasurer,
 20 including a member of the board of directors, of a corporate
 21 insurer, if otherwise qualified under and meeting the
 22 requirements of this part, may be licensed and appointed as a
 23 local resident agent.

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

27 And the title is amended as follows:

28 On page 1, lines 7-13, delete those lines

29

30 and insert:

31 provisions; revising provisions relating to

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1 licensure of branch locations; prescribing
2 renewal fees for specified branch locations;
3 amending s. 626.471, F.S.; revising conditions
4 for notification of intent to terminate an
5 appointment;

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