

Bill No. CS for SB 2006

Barcode 350602

CHAMBER ACTION

Senate

House

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Senator Posey moved the following amendment:

Senate Amendment (with title amendment)

On page 1, line 18,

insert:

Section 1. Paragraph (i) of subsection (1) and paragraph (c) of subsection (2) of section 626.321, Florida Statutes, are amended to read:

626.321 Limited licenses.--

(1) The department shall issue to a qualified individual, or a qualified individual or entity under paragraphs (c), (d), (e), and (i), a license as agent authorized to transact a limited class of business in any of the following categories:

(i) In-transit and storage personal property insurance; communications equipment property insurance, ~~or~~ and communications equipment inland marine insurance, and communications equipment service warranty agreement sales.--

1. A license covering only the insurance of personal property not held for resale, covering the risks of

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1 transportation or storage in rented or leased motor vehicles,
 2 trailers, or self-service storage facilities, as the latter
 3 are defined in s. 83.803, may be issued, without examination,
 4 only to employees or authorized representatives of lessors who
 5 rent or lease motor vehicles, trailers, or self-service
 6 storage facilities and who are authorized by an insurer to
 7 issue certificates or other evidences of insurance to lessees
 8 of such motor vehicles, trailers, or self-service storage
 9 facilities under an insurance policy issued to the lessor. A
 10 person licensed under this paragraph shall give a prospective
 11 purchaser of in-transit or storage personal property insurance
 12 written notice that his or her homeowner's policy may provide
 13 coverage for the loss of personal property and that the
 14 purchase of such insurance is not required under the lease
 15 terms.

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

20 a. Employees or authorized representatives of a
 21 licensed general lines agent;

22 b. The lead ~~Each~~ business location of a retail vendor
 23 of communications equipment and its branch locations; or

24 c. Employees, agents, or authorized representatives of
 25 a retail vendor of communications equipment.

26
 27 The license authorizes the sale of such policies, or
 28 certificates under a group master policy, only with respect to
 29 the sale of, or provision of communications service for,
 30 communications equipment. A general lines agent is not
 31 required to obtain a license under this subparagraph to offer

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

22 3. A branch location licensed pursuant to paragraph
 23 (2)(b) may, in lieu of obtaining an appointment from an
 24 insurer or warranty association as provided in paragraph
 25 (2)(c), obtain a single appointment from the associated lead
 26 location licensee licensed under paragraph (2)(a) and pay the
 27 prescribed appointment fee under s. 624,501 provided that the
 28 lead location has a single appointment from each insurer or
 29 warranty association represented and such appointment provides
 30 that it applies to the lead location and all of its branch
 31 locations. Any branch location individually appointed by an

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

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

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

17 Section 2. Paragraph (f) of subsection (1) of section
 18 626.731, Florida Statutes, is amended to read:

19 626.731 Qualifications for general lines agent's
 20 license.--

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

25 (f) The applicant is not a service representative, a
 26 managing general agent licensed in this state, or a special
 27 agent or similar service representative of a health insurer
 28 which also transacts property, casualty, or surety insurance;
 29 except that the president, vice president, secretary, or
 30 treasurer, including a member of the board of directors, of a
 31 corporate insurer, if otherwise qualified under and meeting

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1 the requirements of this part, may be licensed and appointed
2 as a local resident agent.

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4 (Redesignate subsequent sections.)

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

8 And the title is amended as follows:

9 On page 1, lines 2 and 3, delete those lines

10

11 and insert:

12 An act relating to insurance; amending s.
13 626.321, F.S.; including service warranty
14 agreement sales covering communications
15 equipment under certain limited licensing
16 provisions; revising provisions relating to
17 licensure of branch locations; prescribing
18 renewal fees for specified branch locations;
19 amending s. 626.731, F.S.; revising a
20 qualification for licensure as a general lines
21 agent; amending s. 634.011, F.S.;

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