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A bill to be entitled
 An act relating to insurance field representatives and
 operations; amending s. 626.321, F.S.; including service
 warranty agreement sales covering communications equipment
 under certain limited licensing provisions; limiting a
 licensing requirement for a communications equipment
 retail vendor license; revising certain application and
 licensing requirements for certain entities; requiring
 certain fees; providing construction relating to criminal
 liability or disciplinary proceedings; amending s.
 626.471, F.S.; increasing a period of notification of
 intent to terminate an appointment; amending s. 626.731,
 F.S.; revising a qualification for licensure as a general
 lines agent; providing an effective date.

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

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~~ communications

28 equipment inland marine insurance, and communications equipment
 29 service warranty agreement sales.--

30 1. A license covering only the insurance of personal
 31 property not held for resale, covering the risks of
 32 transportation or storage in rented or leased motor vehicles,
 33 trailers, or self-service storage facilities, as the latter are
 34 defined in s. 83.803, may be issued, without examination, only
 35 to employees or authorized representatives of lessors who rent
 36 or lease motor vehicles, trailers, or self-service storage
 37 facilities and who are authorized by an insurer to issue
 38 certificates or other evidences of insurance to lessees of such
 39 motor vehicles, trailers, or self-service storage facilities
 40 under an insurance policy issued to the lessor. A person
 41 licensed under this paragraph shall give a prospective purchaser
 42 of in-transit or storage personal property insurance written
 43 notice that his or her homeowner's policy may provide coverage
 44 for the loss of personal property and that the purchase of such
 45 insurance is not required under the lease terms.

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

49 a. Employees or authorized representatives of a licensed
 50 general lines agent;

51 b. The primary ~~Each~~ business location of a retail vendor
 52 of communications equipment; or

53 c. Employees, agents, or authorized representatives of a
 54 retail vendor of communications equipment.

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56 The license authorizes the sale of such policies, or
57 certificates under a group master policy, only with respect to
58 the sale of, or provision of communications service for,
59 communications equipment. A general lines agent is not required
60 to obtain a license under this subparagraph to offer or sell
61 communications equipment property insurance or communication
62 equipment inland marine insurance. The license also authorizes
63 sales of service warranty agreements covering only
64 communications equipment to the same extent as if licensed under
65 s. 634.419 or s. 634.420. The provisions of this chapter
66 requiring submission of fingerprints do not apply to
67 communications equipment licenses issued to qualified entities
68 under this subparagraph. Licensees offering policies under this
69 subparagraph must receive initial training from, and have a
70 contractual relationship with, a general lines agent. An entity
71 seeking a license under this subparagraph and applying for a
72 license pursuant to paragraph (2)(a) may, in lieu of
73 individually licensing each location as provided in paragraph
74 (2)(b), provide a list of each office, branch office, or place
75 of business making use of the entity's business name and
76 transacting business under the entity's license by submitting to
77 the department, in connection with the entity's license
78 application, a list containing the physical address of each such
79 location and an initial \$55 fee for each location. Such list
80 shall be submitted annually to the department together with an
81 initial \$55 fee for any new branch location which was not
82 previously identified as transacting business under such a
83 license and a \$5 transfer fee for each branch location

84 previously identified as transacting business under another such
85 license. Any branch location individually licensed under
86 paragraph (2)(b) prior to January 1, 2006, may surrender its
87 license and be transferred to a list of branch locations for a
88 licensed entity under this subparagraph at no charge. A licensed
89 and appointed entity authorizing transactions under its license
90 at such branch locations shall be directly responsible and
91 accountable for the acts of the listed branch locations under
92 the license. Nothing in this subparagraph shall be construed to
93 render a person criminally liable or subject to any disciplinary
94 proceedings for any act unless such person personally committed
95 or knew or should have known of such act and of the facts
96 constituting a violation of this chapter. For the purposes of
97 this subparagraph, the term "communications equipment" means
98 handsets, pagers, personal digital assistants, portable
99 computers, automatic answering devices, and other devices or
100 accessories used to originate or receive communications signals
101 or service, and includes services related to the use of such
102 devices, such as consumer access to a wireless network; however,
103 the term does not include telecommunications switching
104 equipment, transmission wires, cell site transceiver equipment,
105 or other equipment and systems used by telecommunications
106 companies to provide telecommunications service to consumers.

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

109 (c) Pay the applicable fees for the ~~a~~ license as
110 prescribed in s. 624.501, be appointed under s. 626.112, and pay
111 the prescribed appointment fee under s. 624.501. A licensed and

112 appointed entity shall be directly responsible and accountable
 113 for all acts of the licensee's employees.

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

116 626.471 Termination of appointment.--

117 (1) Subject to an appointee's contract rights, an
 118 appointing entity may terminate its appointment of any appointee
 119 at any time. Except when termination is upon a ground which
 120 would subject the appointee to suspension or revocation of his
 121 or her license and appointment under s. 626.611 or s. 626.621,
 122 and except as provided by contract between the appointing entity
 123 and the appointee, the appointing entity shall give at least 120
 124 ~~60~~ days' advance written notice of its intention to terminate
 125 such appointment to the appointee, either by delivery thereof to
 126 the appointee in person or by mailing it, postage prepaid,
 127 addressed to the appointee at his or her last address of record
 128 with the appointing entity. Notice so mailed shall be deemed to
 129 have been given when deposited in a United States Postal Service
 130 mail depository.

131 Section 3. Paragraph (f) of subsection (1) of section
 132 626.731, Florida Statutes, is amended to read:

133 626.731 Qualifications for general lines agent's
 134 license.--

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

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139 (f) The applicant is not a service representative, ~~a~~
140 ~~managing general agent,~~ or a special agent or similar service
141 representative of a health insurer which also transacts
142 property, casualty, or surety insurance; except that the
143 president, vice president, secretary, or treasurer, including a
144 member of the board of directors, of a corporate insurer, if
145 otherwise qualified under and meeting the requirements of this
146 part, may be licensed and appointed as a local resident agent.
147 Section 4. This act shall take effect upon becoming a law.