

By the Committee on General Government Appropriations; and  
 Senator Baker

601-04008-09

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1                                   A bill to be entitled  
 2           An act relating to insurance; amending s. 624.523,  
 3           F.S.; revising the list of items from which payments  
 4           received are deposited into the Insurance Regulatory  
 5           Trust Fund; amending ss. 626.932 and 626.938, F.S.;  
 6           deleting provisions relating to the distribution of  
 7           certain collected taxes and interest; providing for  
 8           the reversion as of a specified date of the statutory  
 9           text of certain provisions relating to the  
 10          distribution of collected taxes and interest;  
 11          providing an effective date.

12  
 13 Be It Enacted by the Legislature of the State of Florida:

14  
 15           Section 1. Subsection (1) of section 624.523, Florida  
 16           Statutes, is amended to read:

17           624.523 Insurance Regulatory Trust Fund.—

18           (1) There is created in the State Treasury a trust fund  
 19           designated "Insurance Regulatory Trust Fund" to which shall be  
 20           credited all payments received on account of the following  
 21           items:

22           (a) All fines, monetary penalties, and costs imposed upon  
 23           persons by the department or the office as authorized by law for  
 24           violation of the laws of this state.

25           (b) Any sums received for copies of the stenographic record  
 26           of hearings, as authorized by law.

27           (c) All sums received under s. 624.404(5).

28           (d) All sums received under s. 624.5091, as provided in  
 29           subsection (5) thereof.

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30 (e) All payments received on account of items provided for  
31 under respective provisions of s. 624.501, as follows:

32 1. Subsection (1) (certificate of authority of insurer).

33 2. Subsection (2) (charter documents of insurer).

34 3. Subsection (3) (annual license tax of insurer).

35 4. Subsection (4) (annual statement of insurer).

36 5. Subsection (5) (application fee for insurance  
37 representatives).

38 6. The "appointment fee" portion of any appointment  
39 provided for under paragraphs (6) (a) and (b) (insurance  
40 representatives, property, marine, casualty and surety  
41 insurance, and agents).

42 7. Paragraph (6) (c) (nonresident agents).

43 8. Paragraph (6) (d) (service representatives).

44 9. The "appointment fee" portion of any appointment  
45 provided for under paragraph (7) (a) (life insurance agents,  
46 original appointment, and renewal or continuation of  
47 appointment).

48 10. Paragraph (7) (b) (nonresident agent license).

49 11. The "appointment fee" portion of any appointment  
50 provided for under paragraph (8) (a) (health insurance agents,  
51 agent's appointment, and renewal or continuation fee).

52 12. Paragraph (8) (b) (nonresident agent appointment).

53 13. The "appointment fee" portion of any appointment  
54 provided for under subsections (9) and (10) (limited licenses  
55 and fraternal benefit society agents).

56 14. Subsection (11) (vending machines).

57 15. Subsection (12) (surplus lines agent).

58 16. Subsection (13) (adjusters' appointment).

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- 59           17. Subsection (14) (examination fee).
- 60           18. Subsection (15) (temporary license and appointment as  
61 agent or adjuster).
- 62           19. Subsection (16) (reissuance, reinstatement, etc.).
- 63           20. Subsection (17) (additional license continuation fees).
- 64           21. Subsection (18) (filing application for permit to form  
65 insurer).
- 66           22. Subsection (19) (license fee of rating organization).
- 67           23. Subsection (20) (miscellaneous services).
- 68           24. Subsection (21) (insurance agencies).
- 69           (f) All payments received on account of actuarial and other  
70 services in the valuation or computation of the reserves of life  
71 insurers pursuant to s. 625.121(2).
- 72           (g) All sums received under ss. 626.711 and 626.743.
- 73           ~~(h) Sums received under s. 626.932, as provided in~~  
74 ~~subsection (5) thereof.~~
- 75           ~~(i) Sums received under s. 626.938, as provided in~~  
76 ~~subsection (7) thereof.~~
- 77           (h)~~(j)~~ All sums received under s. 627.828.
- 78           (i)~~(k)~~ All sums received from motor vehicle service  
79 agreement companies under s. 634.221.
- 80           (j)~~(l)~~ All sums received under s. 648.27 (bail bond agent,  
81 limited surety agent, continuation fee), the "appointment fee"  
82 portion of any license or permit provided for under s. 648.31,  
83 and the application fees provided for under s. 648.34(3).
- 84           (k)~~(m)~~ All sums received under s. 651.015.
- 85           (l)~~(n)~~ All sums received by the Chief Financial Officer or  
86 the director of the office as fees for her or his services as  
87 service-of-process agent.

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88        ~~(m)(e)~~ All state tax portions of agents' licenses collected  
89 under s. 624.501.

90        Section 2. Subsection (5) of section 626.932, Florida  
91 Statutes, is amended to read:

92        626.932 Surplus lines tax.—

93        ~~(5) The department shall deposit 15.74 percent of all taxes~~  
94 ~~collected under this section to the credit of the Insurance~~  
95 ~~Regulatory Trust Fund. Eighty-four and twenty-six hundredths~~  
96 ~~percent of all~~ Taxes collected under this section shall be  
97 deposited into the General Revenue Fund.

98        Section 3. Subsection (7) of section 626.938, Florida  
99 Statutes, is amended to read:

100        626.938 Report and tax of independently procured  
101 coverages.—

102        ~~(7) The department shall deposit 15.74 percent of all taxes~~  
103 ~~and interest collected under this section to the credit of the~~  
104 ~~Insurance Regulatory Trust Fund. Eighty-four and twenty-six~~  
105 ~~hundredths percent of all~~ Taxes and interest collected under  
106 this section shall be deposited into the General Revenue Fund.

107        Section 4. The amendments of s. 626.932(5) and s.  
108 626.938(7), Florida Statutes, made by this act shall expire July  
109 1, 2014, and the text of those subsections shall revert to that  
110 in existence on June 30, 2009, except that any amendments to  
111 such text enacted other than by this act shall be preserved and  
112 continue to operate to the extent that such amendments are not  
113 dependent upon the portions of such text which expire pursuant  
114 to this section.

115        Section 5. This act shall take effect July 1, 2009.