

1                                   A bill to be entitled  
 2       An act relating to life insurance; amending s. 626.2815,  
 3       F.S.; exempting certain life insurance agents from certain  
 4       continuing education requirements under certain  
 5       circumstances; providing an attestation requirement;  
 6       creating s. 627.4605, F.S.; specifying nonapplication of a  
 7       required notice to a current insurer of a policy  
 8       replacement under certain circumstances; amending s.  
 9       627.464, F.S.; providing a limitation on the resale of  
 10      certain annuities to third parties; amending s. 627.552,  
 11      F.S.; prohibiting the creating or permitting of certain  
 12      classes of employees for group health insurance policy  
 13      purposes; preserving an employer's authority to require  
 14      certain plan participation as a condition of employment;  
 15      amending s. 627.5575, F.S.; revising the limitation on the  
 16      amount of insurance for spouses of dependent children of  
 17      employees of members under a group life insurance policy;  
 18      providing an effective date.

19  
 20   Be It Enacted by the Legislature of the State of Florida:

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 22           Section 1. Paragraph (k) of subsection (3) of section  
 23   626.2815, Florida Statutes, is amended to read:

24           626.2815 Continuing education required; application;  
 25   exceptions; requirements; penalties.—

26           (3)

27           (k)1. Any person who holds a license to solicit or sell  
 28   life insurance in this state must complete a minimum of 3 hours

29 | in continuing education, approved by the department, on the  
30 | subject of suitability in annuity and life insurance  
31 | transactions. A licensee may use the hours obtained under this  
32 | subparagraph ~~paragraph~~ to satisfy the requirement for continuing  
33 | education in ethics under paragraph (a).

34 | 2. An agent who has not sold individual life insurance  
35 | policies or annuity contracts during the continuing education  
36 | compliance cycle in question and does not have any active  
37 | individual life insurance policies or annuity contracts is  
38 | exempt from the requirements of subparagraph 1. In order to  
39 | apply the exemption, the department may require the filing of a  
40 | certification attesting that the agent has not sold individual  
41 | life insurance policies or annuity contracts during the  
42 | continuing education compliance cycle in question and does not  
43 | have any active individual life insurance policies or annuity  
44 | contracts.

45 | Section 2. Section 627.4605, Florida Statutes, is created  
46 | to read:

47 | 627.4605 Replacement notice.-A notice to a current insurer  
48 | of a replacement of a current life insurance policy is not  
49 | required in a transaction involving:

50 | (1) An application to the current insurer that issued the  
51 | current policy or contract when a contractual change or  
52 | conversion privilege is being exercised;

53 | (2) A current policy or contract is being replaced by the  
54 | same insurer pursuant to a program filed with and approved by  
55 | the office; or

56 | (3) A term conversion privilege is being exercised among

57 corporate affiliates.

58 Section 3. Subsection (2) of section 627.464, Florida  
59 Statutes, is renumbered as subsection (3), and a new subsection  
60 (2) is added to that section to read:

61 627.464 Annuity contracts, pure endowment contracts;  
62 standard provisions.—

63 (2) An annuity purchased, dedicated, or otherwise allocated  
64 as part of a settlement to satisfy the requirements of 42 U.S.C. s.  
65 1395y(b) (2) may not be sold to, or commuted by or for, a third  
66 party unconnected to the settlement.

67 Section 4. Paragraph (a) of subsection (1) of section  
68 627.552, Florida Statutes, is amended to read:

69 627.552 Employee groups.—Subject to all of the  
70 requirements of this section, the lives of a group of individual  
71 employees of an employer may be insured, for the benefit of  
72 persons other than the employer, under a policy issued to the  
73 employer or to the trustees of a fund established by an  
74 employer, which employer or board of trustees is deemed to be  
75 the policyholder.

76 (1) (a) The employees eligible for insurance under the  
77 policy shall be all of the employees of the employer, or all of  
78 any class or classes of employees determined by conditions  
79 pertaining to their employment; however, a class of employees  
80 may not be created or permitted that consists solely of  
81 employees covered under the employer's group health plan. This  
82 section does not prohibit an employer from requiring  
83 participation in its group health plan as a condition of  
84 employment.

85  
86 This section does not affect the provisions of ss. 112.08-  
87 112.14.

88 Section 5. Subsection (3) of section 627.5575, Florida  
89 Statutes, is amended to read:

90 627.5575 Group life insurance for dependents.—Except for a  
91 policy issued under s. 627.553, a group life insurance policy  
92 may be extended to insure the employees or members against loss  
93 due to the deaths of their spouses and dependent children or any  
94 class or classes thereof, subject to the following:

95 (3) The amounts of insurance for any covered spouse or  
96 dependent child under the policy may not exceed ~~50 percent of~~  
97 the amount of insurance for which the employee or member is  
98 insured.

99 Section 6. This act shall take effect upon becoming a law.