

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Nelson offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 440 and 441, insert:

5 Section 6. Subsection (3) of section 626.7451, Florida
6 Statutes, is amended to read:

7 626.7451 Managing general agents; required contract
8 provisions.—No person acting in the capacity of a managing
9 general agent shall place business with an insurer unless there
10 is in force a written contract between the parties which sets
11 forth the responsibility for a particular function, specifies
12 the division of responsibilities, and contains the following
13 minimum provisions:

14 (3) All funds collected for the account of the insurer
15 shall be held by the managing general agent in a fiduciary
16 capacity in a bank which is insured by the Federal Deposit
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17 Insurance Corporation ~~a member of the Federal Reserve System.~~
18 The ~~This~~ account shall be used for all payment as directed by
19 the insurer. The managing general agent may retain up to no more
20 ~~than~~ 60 days of estimated claims payments and allocated loss
21 adjustment expenses.

22
23 For the purposes of this section and ss. 626.7453 and 626.7454,
24 the term "controlling person" or "controlling" has the meaning
25 set forth in s. 625.012(5)(b)1., and the term "controlled
26 person" or "controlled" has the meaning set forth in s.
27 625.012(5)(b)2.

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

31
32 Remove line 42 and insert:
33 Florida Insurance Code; amending s. 626.7451, F.S.; requiring
34 funds collected for an insurer to be held in a bank insured by
35 the Federal Deposit Insurance Corporation; amending s. 626.8651,
36 F.S.;