

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 4145 Continuing Education Advisory Board

SPONSOR(S): Frishe

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Insurance & Banking Subcommittee	15 Y, 0 N	Read	Cooper
2) Economic Affairs Committee	13 Y, 0 N	Read	Tinker

SUMMARY ANALYSIS

In 1989, the Florida Legislature enacted section 626.2815(6), F.S., creating the Continuing Education Advisory Board (Board) in order to establish a continuing education program for insurance agents. The purpose of the board was to advise the Department of Insurance (DOI) (DOI was subsequently replaced by the Office of Insurance Regulation and the Department of Financial Services) on the promulgation of administrative rules establishing standards for the continuing education of insurance agents. The Board was originally intended to be a temporary entity, as the original legislation creating the board had a sunset date of June 30, 1992.

In 1996, the Board was reestablished by the Florida Legislature in order to assist DOI in creating standards by which continuing education courses may be evaluated and categorized as basic, intermediate, or advanced. As a result, administrative rules were promulgated in 2001 setting new standards for continuing education courses. These rules are contained in chapter 69B-228, F.A.C. After DOI promulgated these administrative rules the insurance commissioner and the Chief Financial Officer (CFO) have not appointed any members to the Board.

This bill repeals the section of the Florida statutes creating the Board. Because the administrative rules finalized the standards for continuing education, the Board no longer serves any purpose. In addition, because the Board has not met in over 10 years, this bill simply repeals this section of the Florida Statutes to conform to current practice.

This bill is expected to have no fiscal impact.

The bill has an effective date of July 1, 2012.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background:

In 1989, the Florida Legislature created the Continuing Education Advisory Board (Board) in order to establish a continuing education program for insurance agents.¹ The purpose of the board was to advise the DOI (DOI was subsequently replaced by the Office of Insurance Regulation and the Department of Financial Services) on the promulgation of administrative rules establishing standards for the continuing education of insurance agents. The Board was originally intended to be a temporary entity, as the original legislation creating the board had a sunset date of June 30, 1992.²

In 1996, the Board was reestablished by the Florida Legislature in order to assist DOI in creating standards by which continuing education courses may be evaluated and categorized as basic, intermediate, or advanced.³ As a result, administrative rules were promulgated in 2001 setting new standards for continuing education courses. These rules are contained in chapter 69B-228, F.A.C. After DOI promulgated these administrative rules the insurance commissioner and the Chief Financial Officer (CFO) have not appointed any members to the Board.

Effect of Bill:

This bill repeals the section of the Florida statutes creating the Board. Because the administrative rules finalized the standards for continuing education, the Board no longer serves any purpose. In addition, because the Board has not met in over 10 years, this bill simply repeals this section of the Florida Statutes to conform to current practice.

B. SECTION DIRECTORY:

Section 1: Repeals section 626.2815(6), F.S.

Section 2: Provides an effective date of July 1, 2012.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

¹ Chapter 89-210, § 1, L.O.F. (creating Section 626.2815(6), F.S.).

² Chapter 89-210, § 1, L.O.F.

³ Chapter 96-377, § 1, L.O.F.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to: require counties or municipalities to spend funds or take an action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or, reduce the percentage of a state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.