

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Nelson offered the following:

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

4 Remove lines 1784-2160 and insert:

5 Section 33. Subsection (1) of section 626.865, Florida
6 Statutes, is amended to read:

7 626.865 Public adjuster's qualifications, bond.-

8 (1) The department shall issue a license to an applicant
9 for a public adjuster's license upon determining that the
10 applicant has paid the applicable fees specified in s. 624.501
11 and possesses the following qualifications:

12 (a) Is a natural person at least 18 years of age.

13 (b) Is a United States citizen or legal alien who
14 possesses work authorization from the United States Bureau of
15 Citizenship and Immigration Services ~~and a bona fide resident of~~
16 ~~this state.~~

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17 (c) Is trustworthy and has such business reputation as
18 would reasonably assure that the applicant will conduct his or
19 her business as insurance adjuster fairly and in good faith and
20 without detriment to the public.

21 (d) Has had sufficient experience, training, or
22 instruction concerning the adjusting of damages or losses under
23 insurance contracts, other than life and annuity contracts, is
24 sufficiently informed as to the terms and effects of the
25 provisions of those types of insurance contracts, and possesses
26 adequate knowledge of the laws of this state relating to such
27 contracts as to enable and qualify him or her to engage in the
28 business of insurance adjuster fairly and without injury to the
29 public or any member thereof with whom the applicant may have
30 business as a public adjuster, or has been licensed and employed
31 as a resident insurance company adjuster or independent adjuster
32 in this state on a continual basis for the past year.

33 (e) Is licensed as a public adjuster apprentice under s.
34 626.8651 and complies with the requirements of that license
35 throughout the licensure period.

36 Section 34. Paragraph (b) of subsection (1) and subsection
37 (7) of section 626.8651, Florida Statutes, are amended to read:

38 626.8651 Public adjuster apprentice license;
39 qualifications.-

40 (1) The department shall issue a license as a public
41 adjuster apprentice to an applicant who is:

42 (b) A United States citizen or legal alien who possesses
43 work authorization from the United States Bureau of Citizenship
44 and Immigration Services ~~and is a resident of this state.~~

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45 (7) An appointing public adjusting firm may not maintain
46 more than 12 public adjuster apprentices simultaneously.
47 However, a supervising public adjuster may not be responsible
48 for more than three public adjuster apprentices simultaneously
49 and shall be accountable for the acts of all public adjuster
50 apprentices which are related to transacting business as a
51 public adjuster apprentice. This subsection does not apply to a
52 public adjusting firm that adjusts claims exclusively for
53 institutions that service or guarantee mortgages.

54 Section 35. Section 626.866, Florida Statutes, is amended
55 to read:

56 626.866 All-lines adjuster ~~Independent adjuster's~~
57 qualifications.—The department shall issue ~~a license to an~~
58 ~~applicant for an~~ all-lines adjuster ~~independent adjuster's~~
59 license to an applicant upon determining that the applicable
60 license fee specified in s. 624.501 has been paid and that the
61 applicant possesses the following qualifications:

62 (1) Is a natural person at least 18 years of age.

63 (2) Is a United States citizen or legal alien who
64 possesses work authorization from the United States Bureau of
65 Citizenship and Immigration Services and a bona fide resident of
66 this state.

67 (3) Is trustworthy and has such business reputation as
68 would reasonably assure that the applicant will conduct his or
69 her business as insurance adjuster fairly and in good faith and
70 without detriment to the public.

71 (4) Has had sufficient experience, training, or
72 instruction concerning the adjusting of damage or loss under
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73 insurance contracts, other than life and annuity contracts, is
74 sufficiently informed as to the terms and the effects of the
75 provisions of such types of contracts, and possesses adequate
76 knowledge of the insurance laws of this state relating to such
77 contracts as to enable and qualify him or her to engage in the
78 business of insurance adjuster fairly and without injury to the
79 public or any member thereof with whom he or she may have
80 relations as an insurance adjuster and to adjust all claims in
81 accordance with the policy or contract and the insurance laws of
82 this state.

83 (5) Has passed any required written examination or has met
84 one of the exemptions prescribed under s. 626.221.

85 Section 36. Section 626.867, Florida Statutes, is
86 repealed.

87 Section 37. Section 626.869, Florida Statutes, is amended
88 to read:

89 626.869 License, adjusters; continuing education.—

90 (1) Having An applicant for a license as an all-lines
91 adjuster qualifies the licensee to adjust may qualify and his or
92 her license when issued may cover adjusting in any one of the
93 following classes of insurance:

94 ~~(a) all lines of insurance except life and annuities.~~

95 ~~(b) Motor vehicle physical damage insurance.~~

96 ~~(c) Property and casualty insurance.~~

97 ~~(d) Workers' compensation insurance.~~

98 ~~(e) Health insurance.~~

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100 ~~No examination on workers' compensation insurance or health~~
101 ~~insurance shall be required for public adjusters.~~

102 (2) All individuals who on October 1, 1990, hold an
103 adjuster's license and appointment limited to fire and allied
104 lines, including marine or casualty or boiler and machinery, may
105 remain licensed and appointed under the limited license and may
106 renew their appointment, but a ~~ne~~ license or appointment that
107 ~~which~~ has been terminated, not renewed, suspended, or revoked
108 may not shall be reinstated, and ~~ne~~ new or additional licenses
109 or appointments may not shall be issued.

110 (3) All individuals who on October 1, 2012, hold an
111 adjuster's license and appointment limited to motor vehicle
112 physical damage and mechanical breakdown, property and casualty,
113 workers' compensation, or health insurance may remain licensed
114 and appointed under such limited license and may renew their
115 appointment, but a license that has been terminated, suspended,
116 or revoked may not be reinstated, and new or additional licenses
117 may not be issued. ~~The applicant's application for license shall~~
118 ~~specify which of the foregoing classes of business the~~
119 ~~application for license is to cover.~~

120 (4)(a) An Any individual holding a license as a public
121 adjuster or an all-lines a company employee adjuster must
122 complete all continuing education requirements as specified in
123 s. 626.2815. or independent adjuster for 24 consecutive months
124 ~~or longer must, beginning in his or her birth month and every 2~~
125 ~~years thereafter, have completed 24 hours of courses, 2 hours of~~
126 ~~which relate to ethics, in subjects designed to inform the~~
127 ~~licensee regarding the current insurance laws of this state, so~~

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128 ~~as to enable him or her to engage in business as an insurance~~
129 ~~adjuster fairly and without injury to the public and to adjust~~
130 ~~all claims in accordance with the policy or contract and the~~
131 ~~laws of this state.~~

132 ~~(b) Any individual holding a license as a public adjuster~~
133 ~~for 24 consecutive months or longer, beginning in his or her~~
134 ~~birth month and every 2 years thereafter, must have completed 24~~
135 ~~hours of courses, 2 hours of which relate to ethics, in subjects~~
136 ~~designed to inform the licensee regarding the current laws of~~
137 ~~this state pertaining to all lines of insurance other than life~~
138 ~~and annuities, the current laws of this state pertaining to the~~
139 ~~duties and responsibilities of public adjusters as set forth in~~
140 ~~this part, and the current rules of the department applicable to~~
141 ~~public adjusters and standard or representative policy forms~~
142 ~~used by insurers, other than forms for life insurance and~~
143 ~~annuities, so as to enable him or her to engage in business as~~
144 ~~an adjuster fairly and without injury to the public and to~~
145 ~~adjust all claims in accordance with the policy or contract and~~
146 ~~laws of this state. In order to receive credit for continuing~~
147 ~~education courses, public adjusters must take courses that are~~
148 ~~specifically designed for public adjusters and approved by the~~
149 ~~department, provided, however, no continuing education course~~
150 ~~shall be required for public adjusters for workers' compensation~~
151 ~~insurance or health insurance.~~

152 ~~(c) The department shall adopt rules necessary to~~
153 ~~implement and administer the continuing education requirements~~
154 ~~of this subsection. For good cause shown, the department may~~
155 ~~grant an extension of time during which the requirements imposed~~

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156 ~~by this section may be completed, but such extension of time may~~
157 ~~not exceed 1 year.~~

158 ~~(d) A nonresident public adjuster must complete the~~
159 ~~continuing education requirements provided by this section;~~
160 ~~provided, a nonresident public adjuster may meet the~~
161 ~~requirements of this section if the continuing education~~
162 ~~requirements of the nonresident public adjuster's home state are~~
163 ~~determined to be substantially comparable to the requirements of~~
164 ~~this state's continuing education requirements and if the~~
165 ~~resident's state recognizes reciprocity with this state's~~
166 ~~continuing education requirements. A nonresident public adjuster~~
167 ~~whose home state does not have such continuing education~~
168 ~~requirements for adjusters, and who is not licensed as a~~
169 ~~nonresident adjuster in a state that has continuing education~~
170 ~~requirements and reciprocates with this state, must meet the~~
171 ~~continuing education requirements of this section.~~

172 (5) The regulation of continuing education for licensees,
173 course providers, instructors, school officials, and monitor
174 groups shall be as provided ~~for~~ in s. 626.2816.

175 Section 38. Paragraph (c) of subsection (2) of section
176 626.8697, Florida Statutes, is amended to read:

177 626.8697 Grounds for refusal, suspension, or revocation of
178 adjusting firm license.—

179 (2) The department may, in its discretion, deny, suspend,
180 revoke, or refuse to continue the license of any adjusting firm
181 if it finds that any of the following applicable grounds exist
182 with respect to the firm or any owner, partner, manager,

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183 director, officer, or other person who is otherwise involved in
184 the operation of the firm:

185 (c) Violation of an ~~any~~ order or rule of the department,
186 office, or commission.

187 Section 39. Subsections (1) and (5) of section 626.872,
188 Florida Statutes, are amended to read:

189 626.872 Temporary license.-

190 (1) The department may, ~~in its discretion,~~ issue a
191 temporary license as an all-lines independent adjuster ~~or as a~~
192 ~~company employee adjuster,~~ subject to the following conditions:

193 (a) The applicant must be an employee of an adjuster
194 currently licensed by the department, ~~an employee of an~~
195 authorized insurer, or ~~an employee of an~~ established adjusting
196 firm or corporation who ~~which~~ is supervised by a currently
197 licensed all-lines independent adjuster.

198 ~~(b) The application must be accompanied by a certificate~~
199 ~~of employment and a report as to the applicant's integrity and~~
200 ~~moral character on a form prescribed by the department and~~
201 ~~executed by the employer.~~

202 ~~(b)(e)~~ The applicant must be a natural person of at least
203 18 years of age, ~~must be~~ a bona fide resident of this state,
204 ~~must be~~ trustworthy, and ~~must~~ have a such business reputation
205 that ~~as~~ would reasonably ensure ~~assure~~ that the applicant will
206 conduct his or her business as an adjuster fairly and in good
207 faith and without detriment to the public.

208 ~~(c)(d)~~ The applicant's employer is responsible for the
209 adjustment acts of the temporary ~~any~~ licensee ~~under this~~
210 ~~section.~~

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211 ~~(d)(e)~~ The applicable license fee ~~specified~~ must be paid
212 before issuance of the temporary license.

213 ~~(e)(f)~~ The temporary license ~~is shall be~~ effective for a
214 ~~period of~~ 1 year, but is subject to earlier termination at the
215 request of the employer, ~~or~~ if the licensee fails to take an
216 examination as an all-lines independent adjuster ~~or company~~
217 ~~employee adjuster~~ within 6 months after issuance of the
218 temporary license, or if the temporary license is suspended or
219 revoked by the department.

220 (5) The department may ~~shall~~ not issue a temporary license
221 as an all-lines independent adjuster ~~or as a company employee~~
222 ~~adjuster~~ to an any individual who has ~~ever~~ held such a license
223 in this state.

224 Section 40. Section 626.873, Florida Statutes, is
225 repealed.

226 Section 41. Paragraph (e) of subsection (1) and subsection
227 (2) of section 626.8732, Florida Statutes, are amended to read:

228 626.8732 Nonresident public adjuster's qualifications,
229 bond.—

230 (1) The department shall, upon application therefor, issue
231 a license to an applicant for a nonresident public adjuster's
232 license upon determining that the applicant has paid the
233 applicable license fees required under s. 624.501 and:

234 (e) Has been licensed and employed as a public adjuster in
235 the applicant's state of residence on a continual basis for the
236 past year ~~3 years~~, or, if the applicant's state of residence
237 does not issue licenses to individuals who act as public
238 adjusters, the applicant has been licensed and employed as a
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239 resident insurance company or independent adjuster, ~~insurance~~
240 ~~agent, insurance broker, or other insurance representative~~ in
241 his or her state of residence or any other state on a continual
242 basis for the past year ~~3 years~~. ~~This paragraph does not apply~~
243 ~~to individuals who are licensed to transact only life insurance~~
244 ~~and annuity business.~~

245 (2) The applicant shall furnish the following with his or
246 her application:

247 (a) A complete set of his or her fingerprints. The
248 applicant's fingerprints must be certified by an authorized law
249 enforcement officer. The department may not authorize an
250 applicant to take the required examination or issue a
251 nonresident public adjuster's license to the applicant until the
252 department has received a report from the Florida Department of
253 Law Enforcement and the Federal Bureau of Investigation relative
254 to the existence or nonexistence of a criminal history report
255 based on the applicant's fingerprints.

256 (b) If currently licensed as a resident public adjuster in
257 the applicant's state of residence, a certificate or letter of
258 authorization from the licensing authority of the applicant's
259 state of residence, stating that the applicant holds a current
260 or comparable license to act as a public adjuster and has held
261 the license continuously for the past year ~~3 years~~. The
262 certificate or letter of authorization must be signed by the
263 insurance commissioner or his or her deputy or the appropriate
264 licensing official and must disclose whether the adjuster has
265 ever had any license or eligibility to hold any license
266 declined, denied, suspended, revoked, or placed on probation or
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267 whether an administrative fine or penalty has been levied
268 against the adjuster and, if so, the reason for the action.

269 (c) If the applicant's state of residence does not require
270 licensure as a public adjuster and the applicant has been
271 licensed as a resident insurance adjuster, ~~agent, broker, or~~
272 ~~other insurance representative~~ in his or her state of residence
273 or any other state, a certificate or letter of authorization
274 from the licensing authority stating that the applicant holds or
275 has held a license to act as such an insurance adjuster, ~~agent,~~
276 ~~or other insurance representative~~ and has held the license
277 continuously for the past year ~~3 years~~. The certificate or
278 letter of authorization must be signed by the insurance
279 commissioner or his or her deputy or the appropriate licensing
280 official and must disclose whether or not the adjuster, ~~agent,~~
281 ~~or other insurance representative~~ has ever had any license or
282 eligibility to hold any license declined, denied, suspended,
283 revoked, or placed on probation or whether an administrative
284 fine or penalty has been levied against the adjuster and, if so,
285 the reason for the action.

286 Section 42. Section 626.8734, Florida Statutes, is amended
287 to read:

288 626.8734 Nonresident all-lines adjuster license
289 ~~independent adjuster's~~ qualifications.-

290 (1) The department shall, ~~upon application therefor,~~ issue
291 a license to an applicant for a nonresident all-lines adjuster
292 ~~independent adjuster's~~ license upon determining that the
293 applicant has paid the applicable license fees required under s.
294 624.501 and:

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295 (a) Is a natural person at least 18 years of age.

296 (b) Has passed to the satisfaction of the department a
297 written Florida all-lines adjuster ~~independent adjuster's~~
298 examination of the scope prescribed in s. 626.241(6); however,
299 the requirement for the examination does not apply to ~~any of the~~
300 ~~following~~:

301 1. An applicant who is licensed as an all-lines ~~a resident~~
302 ~~independent~~ adjuster in his or her home state ~~if of residence~~
303 ~~when that state has entered into~~ requires the passing of a
304 ~~written examination in order to obtain the license and a~~
305 reciprocal agreement with the ~~appropriate official of that state~~
306 ~~has been entered into by the~~ department; or

307 2. An applicant who is licensed as a nonresident all-lines
308 ~~independent~~ adjuster in a state other than his or her home state
309 ~~of residence when the state of licensure requires the passing of~~
310 ~~a written examination in order to obtain the license and a~~
311 reciprocal agreement with the appropriate official of the state
312 of licensure has been entered into with ~~by~~ the department.

313 (c) Is licensed as an all-lines adjuster and is self
314 appointed, or appointed and employed by an independent adjusting
315 firm or other independent adjuster, or is an employee of an
316 insurer admitted to do business in this state, a wholly owned
317 subsidiary of an insurer admitted to business in this state, or
318 other insurers under the common control or ownership of such
319 insurers ~~self-employed or associated with or employed by an~~
320 ~~independent adjusting firm or other independent adjuster.~~

321 Applicants licensed as nonresident all-lines independent
322 adjusters under this section must be appointed as an independent
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323 adjuster or company employee adjuster ~~such~~ in accordance with
324 ~~the provisions of~~ ss. 626.112 and 626.451. Appointment fees as
325 ~~in the amount~~ specified in s. 624.501 must be paid to the
326 department in advance. The appointment of a nonresident
327 independent adjuster continues ~~shall continue~~ in force until
328 suspended, revoked, or otherwise terminated, but is subject to
329 biennial renewal or continuation by the licensee in accordance
330 with ~~procedures prescribed in~~ s. 626.381 for licensees in
331 general.

332 (d) Is trustworthy and has such business reputation as
333 would reasonably ensure ~~assure~~ that he or she will conduct his
334 or her business as a nonresident all-lines ~~independent~~ adjuster
335 fairly and in good faith and without detriment to the public.

336 (e) Has had sufficient experience, training, or
337 instruction concerning the adjusting of damages or losses under
338 insurance contracts, other than life and annuity contracts; is
339 sufficiently informed as to the terms and effects of ~~the~~
340 ~~provisions of~~ those types of insurance contracts; and possesses
341 adequate knowledge of the laws of this state relating to such
342 contracts as to enable and qualify him or her to engage in the
343 business of insurance adjuster fairly and without injury to the
344 public or any member thereof with whom he or she may have
345 business as an all-lines ~~independent~~ adjuster.

346 (2) The applicant must ~~shall~~ furnish the following with
347 his or her application:

348 (a) A complete set of his or her fingerprints. The
349 applicant's fingerprints must be certified by an authorized law
350 enforcement officer.

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351 (b) If currently licensed as an all-lines ~~a resident~~
352 ~~independent~~ adjuster in the applicant's home state ~~of residence~~,
353 a certificate or letter of authorization from the licensing
354 authority of the applicant's home state ~~of residence~~, stating
355 that the applicant holds a current license to act as an all
356 lines independent adjuster. ~~The~~ ~~Such~~ certificate or letter of
357 authorization must be signed by the insurance commissioner, or
358 his or her deputy or the appropriate licensing official, and
359 must disclose whether the adjuster has ever had a ~~any~~ license or
360 eligibility to hold any license declined, denied, suspended,
361 revoked, or placed on probation or whether an administrative
362 fine or penalty has been levied against the adjuster and, if so,
363 the reason for the action. Such certificate or letter is not
364 required if the nonresident applicant's licensing status can be
365 verified through the Producer Database maintained by the
366 National Association of Insurance Commissioners, its affiliates,
367 or subsidiaries.

368 (c) If the applicant's home state ~~of residence~~ does not
369 require licensure as an all-lines independent adjuster and the
370 applicant has been licensed as a resident insurance adjuster,
371 agent, broker, or other insurance representative in his or her
372 home state ~~of residence~~ or any other state within the past 3
373 years, a certificate or letter of authorization from the
374 licensing authority stating that the applicant holds or has held
375 a license to act as an insurance adjuster, agent, or other
376 insurance representative. The certificate or letter of
377 authorization must be signed by the insurance commissioner, or
378 his or her deputy or the appropriate licensing official, and

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379 must disclose whether the adjuster, agent, or other insurance
380 representative has ever had a ~~any~~ license or eligibility to hold
381 any license declined, denied, suspended, revoked, or placed on
382 probation or whether an administrative fine or penalty has been
383 levied against the adjuster and, if so, the reason for the
384 action. Such certificate or letter is not required if the
385 nonresident applicant's licensing status can be verified through
386 the Producer Database maintained by the National Association of
387 Insurance Commissioners, its affiliates, or subsidiaries.

388 (3) The usual and customary records pertaining to
389 transactions under the license of a nonresident all-lines
390 ~~independent~~ adjuster must be retained for at least 3 years after
391 completion of the adjustment and ~~must~~ be made available in this
392 state to the department upon request. The failure of a
393 nonresident all-lines ~~independent~~ adjuster to properly maintain
394 records and make them available to the department upon request
395 constitutes grounds for the immediate suspension of the license
396 issued under this section.

397 ~~(4) After licensure as a nonresident independent adjuster,~~
398 As a condition of doing business in this state as a nonresident
399 independent adjuster, the appointee must ~~licensee must annually~~
400 ~~on or before January 1, on a form prescribed by the department,~~
401 submit an affidavit to the department certifying that the
402 licensee is familiar with and understands the insurance laws and
403 administrative rules of this state and the provisions of the
404 contracts negotiated or to be negotiated. Compliance with this
405 filing requirement is a condition precedent to the issuance,

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406 continuation, reinstatement, or renewal of a nonresident
407 independent adjuster's appointment.

408 Section 43. Section 626.8736, Florida Statutes, is amended
409 to read:

410 626.8736 Nonresident independent or public adjusters;
411 service of process.—

412 (1) Each licensed nonresident ~~independent or~~ public
413 adjuster or all-lines adjuster appointed as an independent
414 adjuster shall appoint the Chief Financial Officer and his or
415 her successors in office as his or her attorney to receive
416 service of legal process issued against such ~~the nonresident~~
417 ~~independent or public~~ adjuster in this state, upon causes of
418 action arising within this state out of transactions under his
419 license and appointment. Service upon the Chief Financial
420 Officer as attorney constitutes ~~shall constitute~~ effective legal
421 service upon the nonresident independent or public adjuster.

422 (2) The appointment of the Chief Financial Officer for
423 service of process is ~~shall be~~ irrevocable ~~for~~ as long as there
424 could be any cause of action against the nonresident ~~independent~~
425 ~~or~~ public adjuster or all-lines adjuster appointed as an
426 independent adjuster arising out of his or her insurance
427 transactions in this state.

428 (3) Duplicate copies of legal process against the
429 nonresident ~~independent or~~ public adjuster or all-lines adjuster
430 appointed as an independent adjuster shall be served upon the
431 Chief Financial Officer by a person competent to serve a
432 summons.

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433 (4) Upon receiving the service, the Chief Financial
434 Officer shall ~~forthwith~~ send one of the copies of the process,
435 by registered mail with return receipt requested, to the
436 defendant nonresident ~~independent~~ or public adjuster or all-
437 lines adjuster appointed as an independent adjuster at his or
438 her last address of record with the department.

439 (5) The Chief Financial Officer shall keep a record of the
440 day and hour of service upon him or her of all legal process
441 received under this section.

442 Section 44. Subsection (1) of section 626.874, Florida
443 Statutes, is amended to read:

444 626.874 Catastrophe or emergency adjusters.—

445 (1) In the event of a catastrophe or emergency, the
446 department may issue a license, for the purposes and under the
447 conditions ~~which it shall fix~~ and for the period of emergency as
448 it shall determine, to persons who are residents or nonresidents
449 of this state, who are at least 18 years of age, who are United
450 States citizens or legal aliens who possess work authorization
451 from the United States Bureau of Citizenship and Immigration
452 Services, and who are not licensed adjusters under this part but
453 who have been designated and certified to it as qualified to act
454 as adjusters by all-lines ~~independent~~ resident adjusters, or by
455 an authorized insurer, or by a licensed general lines agent to
456 adjust claims, losses, or damages under policies or contracts of
457 insurance issued by such insurers. The fee for the license is
458 ~~shall be~~ as provided in s. 624.501(12)(c).

459 Section 45. Subsection (1) of section 626.875, Florida
460 Statutes, is amended to read:

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461 626.875 Office and records.—

462 (1) Each appointed ~~Every licensed~~ independent adjuster and
463 ~~every~~ licensed public adjuster must ~~shall have and~~ maintain ~~in~~
464 ~~this state~~ a place of business in this state which is accessible
465 to the public and keep therein the usual and customary records
466 pertaining to transactions under the license. This provision
467 does ~~shall~~ not ~~be deemed to~~ prohibit maintenance of such an
468 office in the home of the licensee.

469 Section 46. Section 626.876, Florida Statutes, is amended
470 to read:

471 626.876 Exclusive employment; public adjusters,
472 independent adjusters.—

473 (1) An ~~No~~ individual licensed and appointed as a public
474 adjuster may not ~~shall~~ be ~~se~~ employed during the same period by
475 more than one public adjuster or public adjuster firm or
476 corporation.

477 (2) An ~~No~~ individual licensed as an all-lines adjuster and
478 appointed as an independent adjuster may not ~~shall~~ be ~~se~~
479 employed during the same period by more than one independent
480 adjuster or independent adjuster firm or corporation.

481 Section 47. Subsection (2) of section 626.8796, Florida
482 Statutes, is amended to read:

483 626.8796 Public adjuster contracts; fraud statement.—

484 (2) A public adjuster contract relating to a property and
485 casualty claim must contain the full name, permanent business
486 address, and license number of the public adjuster; the full
487 name of the public adjusting firm; and the insured's full name
488 and street address, together with a brief description of the

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489 loss. The contract must state the percentage of compensation for
 490 the public adjuster's services; the type of claim, including an
 491 emergency claim, nonemergency claim, or supplemental claim; the
 492 signatures of the public adjuster and all named insureds; and
 493 the signature date. If all of the named insureds' signatures are
 494 not available, the public adjuster must submit an affidavit
 495 signed by the available named insureds attesting that they have
 496 authority to enter into the contract and settle all claim issues
 497 on behalf of the named insureds. An unaltered copy of the
 498 executed contract must be remitted to the insurer within 30 days
 499 after execution. A public adjusting firm that adjusts claims
 500 exclusively for institutions that guarantee or service mortgages
 501 is deemed to comply with the requirements of this subsection if,
 502 at the time a proof of loss is submitted, the public adjusting
 503 firm remits to the insurer an affidavit signed by the public
 504 adjuster or public adjuster apprentice that identifies:

505 (a) The full name, permanent business address, and license
 506 number of the public adjuster or public adjuster apprentice.

507 (b) The full name of the public adjusting firm.

508 (c) The insured's full name and street address, together
 509 with a brief description of the loss.

510 (d) An attestation that the compensation for public
 511 adjusting services will not exceed the limitations provided by
 512 law.

513 (e) The type of claim, including an emergency claim,
 514 nonemergency claim, or supplemental claim.

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Amendment No.

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

518 Remove lines 94-117 and insert:

519 amending ss. 626.865 and 626.8651, F.S.; revising the

520 requirements for licensure of public adjusters and public

521 adjuster apprentices; amending s. 626.866, F.S.;

522 conforming provisions to changes made by the act relating

523 to all-lines adjusters; repealing s. 626.867, F.S.,

524 relating to qualifications for company employee adjusters;

525 amending s. 626.869, F.S.; revising provisions relating to

526 an all-lines adjuster license; ceasing the issuance of

527 certain adjuster licenses; revising continuing education

528 requirements; amending s. 626.8697, F.S.; revising

529 provisions relating to the violation of rules resulting in

530 the suspension or revocation of an adjuster's license;

531 amending s. 626.872, F.S.; conforming provisions to

532 changes made by the act relating to all-lines adjusters;

533 repealing s. 626.873, F.S., relating to licensure for

534 nonresident company employee adjusters; amending s.

535 626.8732, F.S.; revising the requirements for licensure of

536 nonresident public adjusters; amending s. 626.8734, F.S.;

537 amending provisions relating to nonresident all-lines

538 adjusters; providing for verifying an applicant's status

539 through the National Association of Insurance

540 Commissioners' Producer Database; amending ss. 626.8736,

541 626.874, 626.875, and 626.876, F.S.; conforming provisions

542 to changes made by the act relating to all-lines

543 adjusters; amending s. 626.8796, F.S.; requiring a public

544 adjusting firm that adjusts claims exclusively for

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545 | institutions that guarantee or service mortgages to
546 | provide an affidavit to an insurer with certain
547 | information; amending