

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Nelson offered the following:

2
3 **Substitute Amendment for Amendment (000613) (with title**
4 **amendment)**

5 Remove lines 1784-2160 and insert:

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

8 626.865 Public adjuster's qualifications, bond.—

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

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

14 (b) Is a United States citizen or legal alien who
15 possesses work authorization from the United States Bureau of

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16 Citizenship and Immigration Services ~~and a bona fide resident of~~
17 ~~this state.~~

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

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

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

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

39 626.8651 Public adjuster apprentice license;
40 qualifications.—

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

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

46 (7) An appointing public adjusting firm may not maintain
47 more than 12 public adjuster apprentices simultaneously.
48 However, a supervising public adjuster may not be responsible
49 for more than three public adjuster apprentices simultaneously
50 and shall be accountable for the acts of all public adjuster
51 apprentices which are related to transacting business as a
52 public adjuster apprentice. This subsection does not apply to a
53 public adjusting firm that adjusts claims primarily for
54 commercial entities with operations in more than one state and
55 that does not directly or indirectly perform adjusting services
56 for insurers or individual homeowners.

57 Section 35. Section 626.866, Florida Statutes, is amended
58 to read:

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

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

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

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

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

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

88 Section 36. Section 626.867, Florida Statutes, is
89 repealed.

90 Section 37. Section 626.869, Florida Statutes, is amended
91 to read:

92 626.869 License, adjusters; continuing education.—

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

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

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

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

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

101 ~~(e) Health insurance.~~

102
103 ~~No examination on workers' compensation insurance or health~~
104 ~~insurance shall be required for public adjusters.~~

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

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

123 (4) ~~(a)~~ An Any individual holding a license as a public
124 adjuster or an all-lines a company employee adjuster must
125 complete all continuing education requirements as specified in
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126 ~~s. 626.2815. or independent adjuster for 24 consecutive months~~
127 ~~or longer must, beginning in his or her birth month and every 2~~
128 ~~years thereafter, have completed 24 hours of courses, 2 hours of~~
129 ~~which relate to ethics, in subjects designed to inform the~~
130 ~~licensee regarding the current insurance laws of this state, so~~
131 ~~as to enable him or her to engage in business as an insurance~~
132 ~~adjuster fairly and without injury to the public and to adjust~~
133 ~~all claims in accordance with the policy or contract and the~~
134 ~~laws of this state.~~

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

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153 ~~shall be required for public adjusters for workers' compensation~~
154 ~~insurance or health insurance.~~

155 ~~(c) The department shall adopt rules necessary to~~
156 ~~implement and administer the continuing education requirements~~
157 ~~of this subsection. For good cause shown, the department may~~
158 ~~grant an extension of time during which the requirements imposed~~
159 ~~by this section may be completed, but such extension of time may~~
160 ~~not exceed 1 year.~~

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

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

178 Section 38. Paragraph (c) of subsection (2) of section
179 626.8697, Florida Statutes, is amended to read:

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180 626.8697 Grounds for refusal, suspension, or revocation of
181 adjusting firm license.-

182 (2) The department may, in its discretion, deny, suspend,
183 revoke, or refuse to continue the license of any adjusting firm
184 if it finds that any of the following applicable grounds exist
185 with respect to the firm or any owner, partner, manager,
186 director, officer, or other person who is otherwise involved in
187 the operation of the firm:

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

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

192 626.872 Temporary license.-

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

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

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

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

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

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

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

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

227 Section 40. Section 626.873, Florida Statutes, is
228 repealed.

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

231 626.8732 Nonresident public adjuster's qualifications,
232 bond.—

233 (1) The department shall, upon application therefor, issue
234 a license to an applicant for a nonresident public adjuster's

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235 license upon determining that the applicant has paid the
236 applicable license fees required under s. 624.501 and:

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

248 (2) The applicant shall furnish the following with his or
249 her application:

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

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

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

289 Section 42. Section 626.8734, Florida Statutes, is
290 amended to read:

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291 626.8734 Nonresident all-lines adjuster license

292 ~~independent adjuster's~~ qualifications.-

293 (1) The department shall, ~~upon application therefor,~~ issue
294 a license to an applicant for a nonresident all-lines adjuster
295 ~~independent adjuster's~~ license upon determining that the
296 applicant has paid the applicable license fees required under s.
297 624.501 and:

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

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

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

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

316 (c) Is licensed as an all-lines adjuster and is self
317 appointed, or appointed and employed by an independent adjusting
318 firm or other independent adjuster, or is an employee of an

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319 insurer admitted to do business in this state, a wholly owned
320 subsidiary of an insurer admitted to business in this state, or
321 other insurers under the common control or ownership of such
322 insurers ~~self-employed or associated with or employed by an~~
323 ~~independent adjusting firm or other independent adjuster.~~
324 Applicants licensed as nonresident all-lines independent
325 adjusters under this section must be appointed as an independent
326 adjuster or company employee adjuster ~~such~~ in accordance with
327 ~~the provisions of~~ ss. 626.112 and 626.451. Appointment fees as
328 ~~in the amount~~ specified in s. 624.501 must be paid to the
329 department in advance. The appointment of a nonresident
330 independent adjuster continues ~~shall continue~~ in force until
331 suspended, revoked, or otherwise terminated, but is subject to
332 biennial renewal or continuation by the licensee in accordance
333 with ~~procedures prescribed in~~ s. 626.381 for licensees in
334 general.

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

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

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

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

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

371 (c) If the applicant's home state ~~of residence~~ does not
372 require licensure as an all-lines independent adjuster and the
373 applicant has been licensed as a resident insurance adjuster,
374 agent, broker, or other insurance representative in his or her
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375 home state of residence or any other state within the past 3
376 years, a certificate or letter of authorization from the
377 licensing authority stating that the applicant holds or has held
378 a license to act as an insurance adjuster, agent, or other
379 insurance representative. The certificate or letter of
380 authorization must be signed by the insurance commissioner, or
381 his or her deputy or the appropriate licensing official, and
382 must disclose whether the adjuster, agent, or other insurance
383 representative has ever had a any license or eligibility to hold
384 any license declined, denied, suspended, revoked, or placed on
385 probation or whether an administrative fine or penalty has been
386 levied against the adjuster and, if so, the reason for the
387 action. Such certificate or letter is not required if the
388 nonresident applicant's licensing status can be verified through
389 the Producer Database maintained by the National Association of
390 Insurance Commissioners, its affiliates, or subsidiaries.

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

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

411 Section 43. Section 626.8736, Florida Statutes, is amended
412 to read:

413 626.8736 Nonresident independent or public adjusters;
414 service of process.—

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

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

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

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

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

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

447 626.874 Catastrophe or emergency adjusters.—

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

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

464 626.875 Office and records.—

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

472 Section 46. Section 626.876, Florida Statutes, is amended
473 to read:

474 626.876 Exclusive employment; public adjusters,
475 independent adjusters.—

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

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

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

486 626.8796 Public adjuster contracts; fraud statement.—

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487 (2) A public adjuster contract relating to a property and
488 casualty claim must contain the full name, permanent business
489 address, and license number of the public adjuster; the full
490 name of the public adjusting firm; and the insured's full name
491 and street address, together with a brief description of the
492 loss. The contract must state the percentage of compensation for
493 the public adjuster's services; the type of claim, including an
494 emergency claim, nonemergency claim, or supplemental claim; the
495 signatures of the public adjuster and all named insureds; and
496 the signature date. If all of the named insureds' signatures are
497 not available, the public adjuster must submit an affidavit
498 signed by the available named insureds attesting that they have
499 authority to enter into the contract and settle all claim issues
500 on behalf of the named insureds. An unaltered copy of the
501 executed contract must be remitted to the insurer within 30 days
502 after execution. A public adjusting firm that adjusts claims
503 primarily for commercial entities with operations in more than
504 one state and that does not directly or indirectly perform
505 adjusting services for insurers or individual homeowners is
506 deemed to comply with the requirements of this subsection if, at
507 the time a proof of loss is submitted, the public adjusting firm
508 remits to the insurer an affidavit signed by the public adjuster
509 or public adjuster apprentice that identifies:

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

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

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

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515 (d) An attestation that the compensation for public
516 adjusting services will not exceed the limitations provided by
517 law.

518 (e) The type of claim, including an emergency claim,
519 nonemergency claim, or supplemental claim.

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

Remove lines 94-117 and insert:
amending s. 626.865, F.S.; deleting the requirement
that an applicant for public adjuster be a resident of
the state; requiring an applicant for public adjuster
to be licensed as a public adjuster apprentice;
amending s. 626.8651, F.S.; deleting the requirement
that an applicant for public adjuster apprentice be a
resident of the state; providing that a limitation on
the number of public adjuster apprentices does not
apply to a public adjusting firm that adjusts claims
exclusively for institutions that service or guarantee
mortgages; amending s. 626.866, F.S.; conforming
provisions to changes made by the act relating to all-
lines adjusters; repealing s. 626.867, F.S., relating
to qualifications for company employee adjusters;
amending s. 626.869, F.S.; revising provisions
relating to an all-lines adjuster license; ceasing the
issuance of certain adjuster licenses; revising

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543 continuing education requirements; amending s.
544 626.8697, F.S.; revising provisions relating to the
545 violation of rules resulting in the suspension or
546 revocation of an adjuster's license; amending s.
547 626.872, F.S.; conforming provisions to changes made
548 by the act relating to all-lines adjusters; repealing
549 s. 626.873, F.S., relating to licensure for
550 nonresident company employee adjusters; amending s.
551 626.8732, F.S.; revising the requirements for
552 nonresident public adjuster licensure; amending s.
553 626.8734, F.S.; amending provisions relating to
554 nonresident all-lines adjusters; providing for
555 verifying an applicant's status through the National
556 Association of Insurance Commissioners' Producer
557 Database; amending ss. 626.8736, 626.874, 626.875, and
558 626.876, F.S.; conforming provisions to changes made
559 by the act relating to all-lines adjusters; amending
560 s. 626.8796, F.S.; requiring a public adjusting firm
561 that adjusts claims exclusively for institutions that
562 guarantee or service mortgages to provide an affidavit
563 to an insurer with certain information; amending

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