

Amendment No. 6

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee
 2 Representative Hager offered the following:

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

5 Between lines 1637 and 1638, insert:

6 Section 25. Subsection (1) of section 626.8419, Florida
 7 Statutes, is amended, and paragraphs (c), (d), and (e) are added
 8 to that section, to read:

9 626.8419 Appointment of title insurance agency.—

10 (1) The title insurer engaging or employing the title
 11 insurance agency must file with the department, on ~~printed~~ forms
 12 furnished by the department, an application certifying that the
 13 proposed title insurance agency meets all of the following
 14 requirements:

15 (a) The agency must have obtained a fidelity bond in an
 16 amount, not less than \$50,000, acceptable to the insurer
 17 appointing the agency. If a fidelity bond is unavailable
 18 generally, the department must adopt rules for alternative
 19 methods to comply with this paragraph.

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20 (b) The agency must have obtained errors and omissions
21 insurance in an amount acceptable to the insurer appointing the
22 agency. The amount of the coverage may not be less than \$250,000
23 per claim and an aggregate limit with a deductible no greater
24 than \$10,000. If errors and omissions insurance is unavailable
25 generally, the department must adopt rules for alternative
26 methods to comply with this paragraph.

27 (c) The agency must have obtained a surety bond in an
28 amount not less than \$35,000 and made payable to the title
29 insurer or title insurers appointing the agency. The surety bond
30 shall be for the benefit of any appointing title insurer damaged
31 by a violation by the title insurance agency of its contract
32 with the appointing title insurer. If the surety bond is payable
33 to multiple title insurers, the surety bond shall provide that
34 each title insurer is to be notified in the event a claim is
35 made upon the surety bond or the bond is terminated.

36 (d) The surety bond must remain in effect and unimpaired as
37 long as the agency is appointed by a title insurer. The agency
38 shall provide written proof to the appointing title insurer or
39 insurers on an annual basis evidencing that the surety bond is
40 still in effect and unimpaired.

41 (e) A title insurer may not provide the surety bond
42 directly or indirectly on behalf of the agency.

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44
45
46 **T I T L E A M E N D M E N T**

47 Between lines 73 and 74, insert:

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 725 (2012)

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48 amending s. 626.8419, F.S.; requiring surety bond; providing
49 notification relating to the surety bond, requiring proof of the
50 surety bond; providing a restriction on the surety bond;