

1 A bill to be entitled
2 An act relating to insurance agents and adjusters;
3 amending s. 624.501, F.S.; deleting the title insurer
4 administrative surcharge for a licensed title
5 insurance agency; amending s. 624.505, F.S.; deleting
6 a requirement that an insurer pay an agent tax for
7 each county in which an agent represents the insurer
8 and has a place of business; amending s. 626.015,
9 F.S.; revising the definitions of "adjuster" and "home
10 state"; amending s. 626.0428, F.S.; revising
11 provisions relating to who may bind insurance
12 coverage; amending s. 626.171, F.S.; providing that an
13 applicant is responsible for the information in an
14 application even if completed by a third party;
15 requiring an application to include a statement about
16 the method used to meet certain requirements; amending
17 s. 626.191, F.S.; revising provisions relating to when
18 an applicant may apply for a license after an initial
19 application is denied by the Department of Financial
20 Services; amending s. 626.221, F.S.; revising
21 provisions relating to license examinations;
22 conforming provisions relating to all-lines adjusters;
23 deleting an exemption from examination for certain
24 adjusters; amending s. 626.231, F.S.; providing for
25 submitting an application for examination on a
26 designee's website; amending s. 626.241, F.S.;
27 revising the scope of the examination for an all-lines
28 adjuster; amending s. 626.251, F.S.; providing for e-

29 mailing notices of examinations; amending s. 626.281,
30 F.S.; specifying how many times an applicant may take
31 an examination during a year; amending s. 626.2815,
32 F.S.; revising provisions relating to continuing
33 education requirements; providing that persons on
34 active military duty may seek a waiver; providing for
35 an update course and the contents of such course;
36 deleting requirements relating specifically to certain
37 types of insurance; providing education requirements
38 for bail bond agents and public adjusters; eliminating
39 the continuing education advisory board; amending s.
40 626.292, F.S.; conforming provisions to changes made
41 by the act relating to all-lines adjusters; amending
42 s. 626.311, F.S.; conforming provisions to changes
43 made by the act relating to limited licenses; amending
44 s. 626.321, F.S.; revising provisions relating to
45 limited licenses; prohibiting the future issuance of
46 new limited licenses for motor vehicle physical damage
47 and mechanical breakdown insurance; combining limited
48 licenses relating to credit insurance; specifying
49 events covered by crop hail and multiple-peril crop
50 insurance; revising in-transit and storage personal
51 property insurance to create a limited license for
52 portable electronics insurance; amending s. 626.342,
53 F.S.; clarifying that the prohibition relating to the
54 furnishing of supplies to unlicensed agents applies to
55 all unlicensed agents; amending s. 626.381, F.S.;
56 revising provisions relating to the reporting of

57 | administrative actions; amending s. 626.536, F.S.;

58 | clarifying requirements for reporting administrative

59 | actions taken against a licensee; amending s. 626.551,

60 | F.S.; shortening the time within which a licensee must

61 | report to the department a change in certain

62 | information; authorizing the Department of Financial

63 | Services to adopt rules relating to notification of a

64 | change of address; amending s. 626.621, F.S.; adding

65 | failure to comply with child support requirements as

66 | grounds for action against a license; amending s.

67 | 626.641, F.S.; clarifying provisions relating to the

68 | suspension or revocation of a license or appointment;

69 | amending s. 626.651, F.S.; revising provisions

70 | relating to the suspension or revocation of licenses;

71 | amending ss. 626.730 and 626.732, F.S.; revising

72 | provisions relating to the purpose of the general

73 | lines and personal lines license and certain

74 | requirements related to general lines and personal

75 | lines agents; conforming provisions to changes made by

76 | the act relating to limited licenses; amending s.

77 | 626.8411, F.S.; revising requirements and exemptions

78 | relating to title insurance agents or agencies;

79 | amending s. 626.8418, F.S.; deleting the requirement

80 | that a title insurance agency deposit certain

81 | securities with the department; creating s. 626.8548,

82 | F.S.; defining the term "all-lines adjuster"; amending

83 | s. 626.855, F.S.; revising the definition of

84 | "independent adjuster"; amending s. 626.856, F.S.;

85 | revising the definition of "company employee
86 | adjuster"; repealing s. 626.858, F.S., relating to
87 | defining "nonresident company employee adjuster";
88 | amending s. 626.8584, F.S.; revising the definition of
89 | "nonresident all-lines adjuster"; amending s. 626.863,
90 | F.S.; conforming provisions to changes made by the act
91 | relating to all-lines adjusters; amending s. 626.864,
92 | F.S.; revising provisions relating to adjuster license
93 | types; amending s. 626.865, F.S.; requiring an
94 | applicant for public adjuster to be licensed as a
95 | public adjuster apprentice; amending s. 626.866, F.S.;
96 | conforming provisions to changes made by the act
97 | relating to all-lines adjusters; repealing s. 626.867,
98 | F.S., relating to qualifications for company employee
99 | adjusters; amending s. 626.869, F.S.; revising
100 | provisions relating to an all-lines adjuster license;
101 | ceasing the issuance of certain adjuster licenses;
102 | revising continuing education requirements; amending
103 | s. 626.8697, F.S.; revising provisions relating to the
104 | violation of rules resulting in the suspension or
105 | revocation of an adjuster's license; amending s.
106 | 626.872, F.S.; conforming provisions to changes made
107 | by the act relating to all-lines adjusters; repealing
108 | s. 626.873, F.S., relating to licensure for
109 | nonresident company employee adjusters; amending s.
110 | 626.8734, F.S.; amending provisions relating to
111 | nonresident all-lines adjusters; providing for
112 | verifying an applicant's status through the National

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113 Association of Insurance Commissioners' Producer
114 Database; amending ss. 626.8736, 626.874, 626.875, and
115 626.876, F.S.; conforming provisions to changes made
116 by the act relating to all-lines adjusters; amending
117 s. 626.927, F.S.; deleting a requirement that a
118 licensed surplus lines agent maintain a bond;
119 repealing s. 626.928, F.S., relating to a surplus
120 lines agent's bond; amending ss. 626.933, 626.935, and
121 627.952, F.S.; conforming cross-references; amending
122 s. 635.051, F.S.; requiring persons transacting
123 mortgage guaranty insurance to be licensed and
124 appointed as a credit insurance agent; amending s.
125 648.38, F.S.; revising the notice of examination
126 requirements for bail bond agents; amending s.
127 648.385, F.S.; revising continuing education courses
128 for bail bond agents, to conform to changes made by
129 the act; amending s. 903.27, F.S.; revising provisions
130 relating to the provision of forfeiture documents and
131 notification of certain actions; providing effective
132 dates.

133

134 Be It Enacted by the Legislature of the State of Florida:

135

136 Section 1. Paragraph (e) of subsection (27) of section
137 624.501, Florida Statutes, is amended to read:

138 624.501 Filing, license, appointment, and miscellaneous
139 fees.—The department, commission, or office, as appropriate,
140 shall collect in advance, and persons so served shall pay to it

141 in advance, fees, licenses, and miscellaneous charges as
 142 follows:

143 (27) Title insurance agents:

144 (e) Title insurer and ~~title insurance agency~~
 145 administrative surcharge:

146 ~~1.~~ On or before January 30 of each calendar year, each
 147 title insurer shall pay an administrative surcharge of \$200.00
 148 to the office for each licensed title insurance agency ~~appointed~~
 149 ~~by the title insurer~~ and for each title insurer's retail office
 150 that has been appointed by the title ~~of the insurer~~ as of on
 151 January 1 of that calendar year ~~an administrative surcharge of~~
 152 ~~\$200.00.~~

153 ~~2.~~ ~~On or before January 30 of each calendar year, each~~
 154 ~~licensed title insurance agency shall remit to the department an~~
 155 ~~administrative surcharge of \$200.00.~~ The administrative
 156 surcharge may be used solely to defray the costs to the
 157 ~~department and office~~ for gathering and evaluating in their
 158 ~~examination or audit of title insurance agencies and retail~~
 159 ~~offices of title insurers and to gather~~ title insurance data
 160 from title insurance agencies and insurers for statistical
 161 purposes, which shall ~~to~~ be furnished to and used by the office
 162 in its regulation of title insurance.

163 Section 2. Subsection (1) of section 624.505, Florida
 164 Statutes, is amended to read:

165 624.505 County tax; determination; ~~additional offices;~~
 166 nonresident agents.—

167 (1) The county tax imposed ~~provided for~~ under s. 624.501
 168 for ~~as to~~ an agent shall be paid by each insurer for each agent

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169 only for the county where the agent resides, or if the such
 170 agent's place of business is not located in the a county where
 171 the agent resides ~~other than that of her or his residence~~, then
 172 for the county in which the agent's ~~wherein is located~~ such
 173 place of business is located. ~~If an agent maintains an office or~~
 174 ~~place of business in more than one county, the tax shall be paid~~
 175 ~~for her or him by each such insurer for each county wherein the~~
 176 ~~agent represents such insurer and has a place of business. If~~
 177 ~~when under this subsection an insurer is~~ paying the ~~required to~~
 178 ~~pay county tax for an agent for a county or counties other than~~
 179 the agent's county of residence, the insurer must ~~shall~~
 180 designate the county ~~or counties~~ for which the taxes are paid.

181 Section 3. Subsections (1) and (7) of section 626.015,
 182 Florida Statutes, are amended to read:

183 626.015 Definitions.—As used in this part:

184 (1) "Adjuster" means a public adjuster as defined in s.
 185 626.854, a public adjuster apprentice as defined in s. 626.8541,
 186 or an all-lines adjuster as defined in s. 626.8548 ~~independent~~
 187 ~~adjuster as defined in s. 626.855, or company employee adjuster~~
 188 ~~as defined in s. 626.856.~~

189 (7) "Home state" means the District of Columbia and any
 190 state or territory of the United States in which an ~~insurance~~
 191 agent or adjuster maintains his or her principal place of
 192 residence or principal place of business and is licensed to act
 193 as an insurance agent or adjuster.

194 Section 4. Subsections (2) and (3) of section 626.0428,
 195 Florida Statutes, are amended to read:

196 626.0428 Agency personnel powers, duties, and

197 limitations.-

198 (2) An ~~No~~ employee of an agent or agency may not bind
 199 insurance coverage unless licensed and appointed as an ~~a general~~
 200 ~~lines~~ agent or customer representative.

201 (3) An ~~No~~ employee of an agent or agency may not initiate
 202 contact with any person for the purpose of soliciting insurance
 203 unless licensed and appointed as an ~~a general lines~~ agent or
 204 customer representative.

205 Section 5. Subsection (1) and paragraph (b) of subsection
 206 (2) of section 626.171, Florida Statutes, are amended to read:

207 626.171 Application for license as an agent, customer
 208 representative, adjuster, service representative, managing
 209 general agent, or reinsurance intermediary.-

210 (1) The department may ~~shall~~ not issue a license as agent,
 211 customer representative, adjuster, service representative,
 212 managing general agent, or reinsurance intermediary to any
 213 person except upon written application ~~therefor~~ filed with the
 214 department ~~it~~, meeting the qualifications for the license
 215 applied for as determined by the department ~~qualification~~
 216 ~~therefor~~, and payment in advance of all applicable fees. The ~~Any~~
 217 ~~such~~ application must ~~shall~~ be made under the oath of the
 218 applicant and be signed by the applicant. An applicant may
 219 permit a third party to complete, submit, and sign an
 220 application on the applicant's behalf, but is responsible for
 221 ensuring that the information on the application is true and
 222 correct and is accountable for any misstatements or
 223 misrepresentations. The department shall accept the uniform
 224 application for nonresident agent licensing. ~~The department may~~

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225 ~~adopt revised versions of the uniform application by rule.~~

226 (2) In the application, the applicant shall set forth:

227 (b) A statement indicating the method the applicant used
 228 or is using to meet any required prelicensing education,
 229 knowledge, experience, or instructional requirements for the
 230 type of license applied for. ~~Proof that he or she has completed~~
 231 ~~or is in the process of completing any required prelicensing~~
 232 ~~course.~~

233
 234 However, the application must contain a statement that an
 235 applicant is not required to disclose his or her race or
 236 ethnicity, gender, or native language, that he or she will not
 237 be penalized for not doing so, and that the department will use
 238 this information exclusively for research and statistical
 239 purposes and to improve the quality and fairness of the
 240 examinations.

241 Section 6. Section 626.191, Florida Statutes, is amended
 242 to read:

243 626.191 Repeated applications.—The failure of an applicant
 244 to secure a license upon ~~an~~ application does ~~shall~~ not preclude
 245 the applicant from applying again. However ~~as many times as~~
 246 ~~desired, but~~ the department may ~~shall~~ not consider ~~give~~
 247 ~~consideration to~~ or accept any further application by the same
 248 applicant individual for a similar license dated or filed within
 249 30 days after ~~subsequent to~~ the date the department denied the
 250 last application, except as provided under ~~in~~ s. 626.281.

251 Section 7. Subsection (2) of section 626.221, Florida
 252 Statutes, is amended to read:

253 | 626.221 Examination requirement; exemptions.—

254 | (2) However, an ~~no such~~ examination is not ~~shall be~~
 255 | necessary for ~~in~~ any of the following ~~cases~~:

256 | (a) An applicant for renewal of appointment as an agent,
 257 | customer representative, or adjuster, unless the department
 258 | determines that an examination is necessary to establish the
 259 | competence or trustworthiness of the ~~such~~ applicant.

260 | (b) An applicant for a limited license as agent for travel
 261 | insurance, motor vehicle rental ~~personal accident insurance,~~
 262 | ~~baggage and motor vehicle excess liability insurance, credit~~
 263 | ~~life or disability~~ insurance, credit insurance, ~~credit property~~
 264 | ~~insurance,~~ in-transit and storage personal property insurance,
 265 | or portable electronics ~~communications equipment property~~
 266 | ~~insurance or communication equipment inland marine~~ insurance
 267 | under s. 326.321.

268 | (c) In the discretion of the department, an applicant for
 269 | reinstatement of license or appointment as an agent, customer
 270 | representative, ~~company employee adjuster,~~ or ~~independent~~
 271 | adjuster whose license has been suspended within the 4 years
 272 | before ~~prior to~~ the date of application or written request for
 273 | reinstatement.

274 | (d) An applicant who, within the 4 years before ~~prior to~~
 275 | application for license and appointment as an agent, customer
 276 | representative, or adjuster, was a full-time salaried employee
 277 | of the department who ~~and had continuously been such an employee~~
 278 | ~~with~~ responsible insurance duties for at least ~~not less than~~ 2
 279 | continuous years and who had been a licensee within the 4 years
 280 | before ~~prior to~~ employment by the department with the same class

281 of license as that being applied for.

282 (e) An applicant ~~A person~~ who has been licensed as an all-
 283 lines adjuster and appointed as an independent adjuster or
 284 company employee adjuster ~~as to all property, casualty, and~~
 285 ~~surety insurances may be licensed and appointed as a company~~
 286 ~~employee adjuster or independent adjuster, as to these kinds of~~
 287 ~~insurance, without additional written examination if an~~
 288 application for licensure is filed with the department within 48
 289 months following the date of cancellation or expiration of the
 290 prior appointment.

291 ~~(f) A person who has been licensed as a company employee~~
 292 ~~adjuster or independent adjuster for motor vehicle, property and~~
 293 ~~casualty, workers' compensation, and health insurance may be~~
 294 ~~licensed as such an adjuster without additional written~~
 295 ~~examination if his or her application for licensure is filed~~
 296 ~~with the department within 48 months after cancellation or~~
 297 ~~expiration of the prior license.~~

298 ~~(f)(g)~~ An applicant for a temporary license, except as
 299 otherwise provided in this code.

300 ~~(g)(h)~~ An applicant for a license as a life or health
 301 agent ~~license~~ who has received the designation of chartered life
 302 underwriter (CLU) from the American College of Life Underwriters
 303 and ~~who~~ has been engaged in the insurance business within the
 304 past 4 years, except that the applicant ~~such an individual~~ may
 305 be examined on pertinent provisions of this code.

306 ~~(h)(i)~~ An applicant for license as a general lines agent,
 307 customer representative, or adjuster who has received the
 308 designation of chartered property and casualty underwriter

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309 (CPCU) from the American Institute for Property and Liability
310 Underwriters and ~~who~~ has been engaged in the insurance business
311 within the past 4 years, except that the applicant ~~such an~~
312 ~~individual~~ may be examined on pertinent provisions of this code.

313 (i) ~~(j)~~ An applicant for license as a customer
314 representative who has earned the designation of Accredited
315 Advisor in Insurance (AAI) from the Insurance Institute of
316 America, the designation of Certified Insurance Counselor (CIC)
317 from the Society of Certified Insurance Service Counselors, the
318 designation of Accredited Customer Service Representative (ACSR)
319 from the Independent Insurance Agents of America, the
320 designation of Certified Professional Service Representative
321 (CPSR) from the National Foundation for Certified Professional
322 Service Representatives, the designation of Certified Insurance
323 Service Representative (CISR) from the Society of Certified
324 Insurance Service Representatives, or the designation of
325 Certified Insurance Representative (CIR) from the National
326 Association of Christian Catastrophe Insurance Adjusters. Also,
327 an applicant for license as a customer representative who has
328 earned an associate degree or bachelor's degree from an
329 accredited college or university and has completed ~~with~~ at least
330 9 academic hours of property and casualty insurance curriculum,
331 or the equivalent, or has earned the designation of Certified
332 Customer Service Representative (CCSR) from the Florida
333 Association of Insurance Agents, or the designation of
334 Registered Customer Service Representative (RCSR) from a
335 regionally accredited postsecondary institution in this state,
336 or the designation of Professional Customer Service

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337 Representative (PCSR) from the Professional Career Institute,
 338 whose curriculum has been approved by the department and which
 339 ~~whose curriculum~~ includes comprehensive analysis of basic
 340 property and casualty lines of insurance and testing at least
 341 equal to that of standard department testing for the customer
 342 representative license. The department shall adopt rules
 343 establishing standards for the approval of curriculum.

344 (j) ~~(k)~~ An applicant for license as a resident or
 345 nonresident all-lines ~~an independent or company employee~~
 346 adjuster who has the designation of Accredited Claims Adjuster
 347 (ACA) from a regionally accredited postsecondary institution in
 348 this state, Professional Claims Adjuster (PCA) from the
 349 Professional Career Institute, Professional Property Insurance
 350 Adjuster (PPIA) from the HurriClaim Training Academy, Certified
 351 Adjuster (CA) from ALL LINES Training, or Certified Claims
 352 Adjuster (CCA) from the Association of Property and Casualty
 353 Claims Professionals whose curriculum has been approved by the
 354 department and which ~~whose curriculum~~ includes comprehensive
 355 analysis of basic property and casualty lines of insurance and
 356 testing at least equal to that of standard department testing
 357 for the all-lines adjuster license. The department shall adopt
 358 rules establishing standards for the approval of curriculum.

359 (k) ~~(l)~~ An applicant qualifying for a license transfer
 360 under s. 626.292~~7~~ if the applicant:

- 361 1. Has successfully completed the prelicensing examination
- 362 requirements in the applicant's previous home state which are
- 363 substantially equivalent to the examination requirements in this
- 364 state, as determined by the department;

365 2. Has received the designation of chartered property and
 366 casualty underwriter (CPCU) from the American Institute for
 367 Property and Liability Underwriters and ~~has~~ been engaged in the
 368 insurance business within the past 4 years if applying to
 369 transfer a general lines agent license; or

370 3. Has received the designation of chartered life
 371 underwriter (CLU) from the American College of Life Underwriters
 372 and ~~has~~ been engaged in the insurance business within the past 4
 373 years, if applying to transfer a life or health agent license.

374 (1) ~~(m)~~ An applicant for a license as a nonresident agent
 375 ~~license~~, if the applicant:

376 1. Has successfully completed prelicensing examination
 377 requirements in the applicant's home state which are
 378 substantially equivalent to the examination requirements in this
 379 state, as determined by the department, as a requirement for
 380 obtaining a resident license in his or her home state;

381 2. Held a general lines agent license, life agent license,
 382 or health agent license before ~~prior to the time~~ a written
 383 examination was required;

384 3. Has received the designation of chartered property and
 385 casualty underwriter (CPCU) from the American Institute for
 386 Property and Liability Underwriters and has been engaged in the
 387 insurance business within the past 4 years, if an applicant for
 388 a nonresident license as a general lines agent; or

389 4. Has received the designation of chartered life
 390 underwriter (CLU) from the American College of Life Underwriters
 391 and ~~has~~ been in the insurance business within the past 4 years,
 392 if an applicant for a nonresident license as a life agent or

393 health agent.

394 Section 8. Subsection (2) of section 626.231, Florida
 395 Statutes, is amended to read:

396 626.231 Eligibility; application for examination.—

397 (2) A person required to take an examination for a license
 398 may ~~be permitted to~~ take an examination before ~~prior to~~
 399 submitting an application for licensure pursuant to s. 626.171
 400 by submitting an application for examination through the
 401 department's Internet website or the website of a person
 402 designated by the department to administer the examination. The
 403 department may require ~~In the application,~~ the applicant to
 404 provide the following information as part of the application
 405 ~~shall set forth:~~

406 (a) His or her full name, date of birth ~~age~~, social
 407 security number, residence address, business address, and
 408 mailing address.

409 (b) The type of license which ~~that~~ the applicant intends
 410 to apply for.

411 (c) The name of any required prelicensing course he or she
 412 has completed or is in the process of completing.

413 (d) The method by which the applicant intends to qualify
 414 for the type of license if other than by completing a
 415 prelicensing course.

416 (e) The applicant's gender ~~(male or female)~~.

417 (f) The applicant's native language.

418 (g) The highest level of education achieved by the
 419 applicant.

420 (h) The applicant's race or ethnicity ~~(African American,~~

421 ~~white, American Indian, Asian, Hispanic, or other).~~

422

423 However, the application form must contain a statement that an
 424 applicant is not required to disclose his or her race or
 425 ethnicity, gender, or native language, that he or she will not
 426 be penalized for not doing so, and that the department will use
 427 this information exclusively for research and statistical
 428 purposes and to improve the quality and fairness of the
 429 examinations.

430 Section 9. Subsection (6) of section 626.241, Florida
 431 Statutes, is amended to read:

432 626.241 Scope of examination.—

433 (6) In order to reflect the differences between adjusting
 434 claims for an insurer and adjusting claims for an insured, the
 435 department shall create an examination for applicants seeking
 436 licensure as a public adjuster and a separate examination for
 437 applicants seeking licensure as an all-lines ~~a company employee~~
 438 ~~adjuster or independent~~ adjuster.

439 (a) Examinations ~~given applicants~~ for a license as an all-
 440 lines adjuster must ~~shall~~ cover adjusting in all lines of
 441 insurance, other than life and annuity; ~~or, in accordance with~~
 442 ~~the application for the license, the examination may be limited~~
 443 ~~to adjusting in:~~

- 444 ~~(a) Automobile physical damage insurance;~~
- 445 ~~(b) Property and casualty insurance;~~
- 446 ~~(c) Workers' compensation insurance; or~~
- 447 ~~(d) Health insurance.~~

448 (b) ~~An~~ No examination for workers' ~~on worker's~~

449 compensation insurance or health insurance is not ~~shall be~~
 450 required for public adjusters.

451 Section 10. Subsection (1) of section 626.251, Florida
 452 Statutes, is amended to read:

453 626.251 Time and place of examination; notice.—

454 (1) The department, or a person designated by the
 455 department, shall provide ~~mail-written~~ notice of the time and
 456 place of the examination to each applicant for examination and
 457 each applicant for license required to take an examination who
 458 will be eligible to take the examination as of the examination
 459 date. The notice shall be e-mailed ~~so mailed, postage prepaid,~~
 460 ~~and addressed~~ to the applicant at the e-mail ~~his or her~~ address
 461 shown on the application for license or examination ~~at such~~
 462 ~~other address as requested by the applicant in writing filed~~
 463 ~~with the department prior to the mailing of the notice.~~ Notice
 464 is ~~shall be~~ deemed given when so mailed.

465 Section 11. Section 626.281, Florida Statutes, is amended
 466 to read:

467 626.281 Reexamination.—

468 (1) An ~~Any~~ applicant for license or ~~applicant for~~
 469 examination who has ~~either~~:

470 (a) Taken an examination and failed to make a passing
 471 grade, or

472 (b) Failed to appear for the examination or to take or
 473 complete the examination at the time and place specified in the
 474 notice of the department,

475

476 may take additional examinations, after filing with the

477 department or its designee an application for reexamination
 478 together with applicable fees. The failure of an applicant to
 479 pass an examination, ~~or the failure~~ to appear for the
 480 examination, or to take or complete the examination does not
 481 preclude the applicant from taking subsequent examinations.

482 (2) Applicants may take an examination for a license type
 483 up to three times in a 12-month period.

484 (3)~~(2)~~ The department may require an ~~any~~ individual whose
 485 license as an agent, customer representative, or adjuster has
 486 expired or ~~has~~ been suspended to pass an examination before
 487 ~~prior to~~ reinstating or relicensing the individual as to any
 488 class of license. The examination fee must ~~shall~~ be paid for ~~as~~
 489 ~~to~~ each examination.

490 Section 12. Section 626.2815, Florida Statutes, is amended
 491 to read:

492 626.2815 Continuing education ~~required; application;~~
 493 ~~exceptions; requirements; penalties.-~~

494 (1) The purpose of this section is to establish
 495 requirements and standards for continuing education courses for
 496 individuals ~~persons~~ licensed to solicit, ~~or~~ sell, or adjust
 497 insurance in the state.

498 (2) Except as otherwise provided in this section, ~~the~~
 499 ~~provisions of this section~~ applies ~~apply~~ to individuals ~~persons~~
 500 licensed to engage in the sale of insurance or adjustment of
 501 insurance claims in this state for all lines of insurance for
 502 which an examination is required for licensing and to each
 503 insurer, employer, or appointing entity, including, but not
 504 limited to, those created or existing pursuant to s. 627.351.

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505 ~~The provisions of~~ This section does ~~shall~~ not apply to an ~~any~~
506 individual who holds ~~person holding~~ a license for the sale of
507 any line of insurance for which an examination is not required
508 by the laws of this state or who holds a, ~~nor shall the~~
509 ~~provisions of this section apply to any~~ limited license as ~~the~~
510 ~~department may exempt by rule.~~ Licensees who are unable to
511 comply with the continuing education requirements due to active
512 duty in the military may submit a written request for a waiver
513 to the department.

514 (3)(a) Each licensee ~~person~~ subject to ~~the provisions of~~
515 this section must, except as set forth in paragraphs (b), (c),
516 and (d), complete a minimum of 24 hours of continuing education
517 courses every 2 years in basic or higher-level courses
518 prescribed by this section or in other courses approved by the
519 department.

520 (a) Each licensee ~~person~~ subject to ~~the provisions of this~~
521 ~~section~~ must complete, ~~as part of his or her required number of~~
522 ~~continuing education hours,~~ 3 hours of continuing education,
523 approved by the department, every 2 years on the subject matter
524 of ethics. Each licensed general lines agent and customer
525 representative ~~subject to this section~~ must complete, ~~as part of~~
526 ~~his or her required number of continuing education hours,~~ 1 hour
527 of continuing education, approved by the department, every 2
528 years on the subject matter of premium discounts available on
529 property insurance policies based on various hurricane
530 mitigation options and the means for obtaining the discounts.

531 (b) A licensee ~~person~~ who has been licensed for ~~a period~~
532 ~~of~~ 6 or more years must complete 20 hours of continuing

533 education every 2 years in intermediate or advanced-level
 534 courses prescribed by this section or in other courses approved
 535 by the department.

536 (c) A licensee who has been licensed for 25 years or more
 537 and is a CLU or a CPCU or has a Bachelor of Science degree in
 538 risk management or insurance with evidence of 18 or more
 539 semester hours in upper-level insurance-related courses must
 540 complete 10 hours of continuing education courses every 2 years
 541 in courses prescribed by this section or in other courses
 542 approved by the department.

543 (d) An individual ~~Any person~~ who holds a license as a
 544 customer representative, limited customer representative, title
 545 agent, motor vehicle physical damage and mechanical breakdown
 546 insurance agent, crop or hail and multiple-peril crop insurance
 547 agent, or ~~as~~ an industrial fire insurance or burglary insurance
 548 agent and who is not a licensed life or health ~~insurance~~ agent,
 549 must ~~shall be required to~~ complete 10 hours of continuing
 550 education courses every 2 years.

551 (e) An individual ~~Any person~~ who holds a license to
 552 solicit or sell life or health insurance and a license to
 553 solicit or sell property, casualty, surety, or surplus lines
 554 insurance must complete ~~the continuing education requirements by~~
 555 ~~completing~~ courses in life or health insurance for one-half of
 556 the total hours required and courses in property, casualty,
 557 surety, or surplus lines insurance for one-half of the total
 558 hours required. However, a licensee who holds an industrial fire
 559 or burglary insurance license and who is a licensed life or
 560 health agent must ~~shall be required to~~ complete 4 hours of

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561 continuing education courses every 2 years related to industrial
562 fire or burglary insurance and the remaining number of hours of
563 continuing education courses ~~required~~ related to life or health
564 insurance.

565 (f) Excess hours accumulated during any 2-year compliance
566 period may be carried forward to the next compliance period.

567 (g) An individual teaching an approved course of
568 instruction or lecturing at an any approved seminar and
569 attending the entire course or seminar qualifies for the same
570 number of classroom hours as would be granted to a person taking
571 and successfully completing such course or seminar. Credit is
572 limited to the number of hours actually taught unless a person
573 attends the entire course or seminar. An individual who is an
574 official of or employed by a governmental entity in this state
575 and serves as a professor, instructor, or other position or
576 office, the duties and responsibilities of which are determined
577 by the department to require monitoring and review of insurance
578 laws or insurance regulations and practices, is exempt from this
579 section.

580 (4)(f)1. ~~Except as provided in subparagraph 2.,~~ Compliance
581 with continuing education requirements is a condition precedent
582 to the issuance, continuation, reinstatement, or renewal of any
583 appointment subject to this section. However:

584 (a)2.a. An appointing entity, except one that appoints
585 individuals who are employees or exclusive independent
586 contractors of the appointing entity, may not require, directly
587 or indirectly, as a condition of such appointment or the
588 continuation of such appointment, the taking of an approved

589 course or program by any appointee or potential appointee which
 590 ~~that~~ is not of the appointee's choosing.

591 (b)~~b.~~ Any entity created or existing pursuant to s.
 592 627.351 may require employees to take training of any type
 593 relevant to their employment but may not require appointees who
 594 are not employees to take any approved course or program unless
 595 the course or program deals solely with the appointing entity's
 596 internal procedures or products or with subjects substantially
 597 unique to the appointing entity.

598 ~~(g) A person teaching any approved course of instruction~~
 599 ~~or lecturing at any approved seminar and attending the entire~~
 600 ~~course or seminar shall qualify for the same number of classroom~~
 601 ~~hours as would be granted to a person taking and successfully~~
 602 ~~completing such course, seminar, or program. Credit shall be~~
 603 ~~limited to the number of hours actually taught unless a person~~
 604 ~~attends the entire course or seminar. Any person who is an~~
 605 ~~official of or employed by any governmental entity in this state~~
 606 ~~and serves as a professor, instructor, or in any other position~~
 607 ~~or office the duties and responsibilities of which are~~
 608 ~~determined by the department to require monitoring and review of~~
 609 ~~insurance laws or insurance regulations and practices shall be~~
 610 ~~exempt from this section.~~

611 ~~(h) Excess classroom hours accumulated during any~~
 612 ~~compliance period may be carried forward to the next compliance~~
 613 ~~period.~~

614 (5)~~(i)~~ For good cause shown, the department may grant an
 615 extension of time during which the requirements of ~~imposed by~~
 616 this section may be completed, but such extension ~~of time~~ may

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617 not exceed 1 year.

618 ~~(6)(j)~~ A nonresident licensee who must complete continuing
619 education requirements in his or her home state may use the home
620 state requirements to also meet this state's continuing
621 education requirements ~~as well,~~ if the licensee's ~~resident's~~
622 home state recognizes reciprocity with this state's continuing
623 education requirements. A nonresident licensee whose home state
624 does not have a continuing education requirement but is licensed
625 for the same class of business in another state that has ~~which~~
626 ~~does have~~ a continuing education requirement may comply with
627 this section by furnishing proof of compliance with the other
628 state's requirement if that state has a reciprocal agreement
629 with this state relative to continuing education. A nonresident
630 licensee whose home state does not have such continuing
631 education requirements, and who is not licensed as a nonresident
632 licensee ~~agent~~ in a state that has continuing education
633 requirements and reciprocates with this state, must meet the
634 continuing education requirements of this state.

635 ~~(k) Any person who holds a license to solicit or sell life~~
636 ~~insurance in this state must complete a minimum of 3 hours in~~
637 ~~continuing education, approved by the department, on the subject~~
638 ~~of suitability in annuity and life insurance transactions. This~~
639 ~~requirement does not apply to an agent who does not have any~~
640 ~~active life insurance or annuity contracts. In applying this~~
641 ~~exemption, the department may require the filing of a~~
642 ~~certification attesting that the agent has not sold life~~
643 ~~insurance or annuities during the continuing education~~
644 ~~compliance cycle in question and does not have any active life~~

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645 ~~insurance or annuity contracts. A licensee may use the hours~~
646 ~~obtained under this paragraph to satisfy the requirement for~~
647 ~~continuing education in ethics under paragraph (a).~~

648 (7)~~(4)~~ The following courses may be completed in order to
649 meet the elective continuing education course requirements:

650 (a) Any part of the Life Underwriter Training Council Life
651 Course Curriculum: 24 hours; Health Course: 12 hours.

652 (b) Any part of the American College "CLU" diploma
653 curriculum: 24 hours.

654 (c) Any part of the Insurance Institute of America's
655 program in general insurance: 12 hours.

656 (d) Any part of the American Institute for Property and
657 Liability Underwriters' Chartered Property Casualty Underwriter
658 (CPCU) professional designation program: 24 hours.

659 (e) Any part of the Certified Insurance Counselor program:
660 21 hours.

661 (f) Any part of the Accredited Advisor in Insurance: 21
662 hours.

663 (g) In the case of title agents, completion of the
664 Certified Land Closer (CLC) professional designation program and
665 receipt of the designation: 24 hours.

666 (h) In the case of title agents, completion of the
667 Certified Land Searcher (CLS) professional designation program
668 and receipt of the designation: 24 hours.

669 (i) Any insurance-related course that ~~which~~ is approved by
670 the department and taught by an accredited college or university
671 per credit hour granted: 12 hours.

672 (j) Any course, including courses relating to agency

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673 management or errors and omissions, developed or sponsored by an
674 ~~any~~ authorized insurer or recognized agents' association or
675 insurance trade association or an ~~any~~ independent study program
676 of instruction, subject to approval by the department, qualifies
677 for the equivalency of the number of classroom hours assigned
678 ~~thereto~~ by the department. However, unless otherwise provided in
679 this section, continuing education hours may not be credited
680 toward meeting the requirements of this section unless the
681 course is provided by classroom instruction or results in a
682 monitored examination. A monitored examination is not required
683 for:

684 1. An independent study program of instruction presented
685 through interactive, online technology that the department
686 determines has sufficient internal testing to validate the
687 student's full comprehension of the materials presented; or

688 2. An independent study program of instruction presented
689 on paper or in printed material which ~~that~~ imposes a final
690 closed book examination that meets the requirements of the
691 department's rule for self-study courses. The examination may be
692 taken without a proctor if ~~provided~~ the student presents to the
693 provider a sworn affidavit certifying that the student did not
694 consult any written materials or receive outside assistance of
695 any kind or from any person, directly or indirectly, while
696 taking the examination. If the student is an employee of an
697 agency or corporate entity, the student's supervisor or a
698 manager or owner of the agency or corporate entity must also
699 sign the sworn affidavit. If the student is self-employed, a
700 sole proprietor, or a partner, or if the examination is

701 administered online, the sworn affidavit must also be signed by
 702 a disinterested third party. The sworn affidavit must be
 703 received by the approved provider before ~~prior to~~ reporting
 704 continuing education credits to the department.

705 ~~(8)(k)~~ Each person or entity sponsoring a course for
 706 continuing education credit must furnish, within 15 ~~30~~ days
 707 after completion of the course, in a form satisfactory to the
 708 department or its designee, a ~~written and certified~~ roster
 709 showing the name and license number of all persons successfully
 710 completing such course and requesting credit, ~~accompanied by the~~
 711 ~~required fee.~~

712 ~~(9)(5)~~ The department may immediately terminate or shall
 713 refuse to renew the appointment of an any agent or adjuster who
 714 has been notified by the department that ~~who has not had~~ his or
 715 her continuing education requirements have not been certified,
 716 unless the agent or adjuster has been granted an extension or
 717 waiver by the department. The department may not issue a new
 718 appointment of the same or similar type, ~~with any insurer,~~ to a
 719 licensee ~~an agent~~ who was denied a renewal appointment for
 720 failing ~~failure~~ to complete continuing education as required
 721 until the licensee ~~agent~~ completes his or her continuing
 722 education requirement.

723 ~~(6)(a)~~ ~~There is created an 11 member continuing education~~
 724 ~~advisory board to be appointed by the Chief Financial Officer.~~
 725 ~~Appointments shall be for terms of 4 years. The purpose of the~~
 726 ~~board is to advise the department in determining standards by~~
 727 ~~which courses may be evaluated and categorized as basic,~~
 728 ~~intermediate, or advanced. The board shall submit~~

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729 ~~recommendations to the department of changes needed in such~~
730 ~~criteria not less frequently than every 2 years. The department~~
731 ~~shall require all approved course providers to submit courses~~
732 ~~for approval to the department using the criteria. All~~
733 ~~materials, brochures, and advertisements related to the approved~~
734 ~~courses must specify the level assigned to the course.~~

735 ~~(b) The board members shall be appointed as follows:~~

736 ~~1. Seven members representing agents of which at least one~~
737 ~~must be a representative from each of the following~~
738 ~~organizations: the Florida Association of Insurance Agents; the~~
739 ~~Florida Association of Insurance and Financial Advisors; the~~
740 ~~Professional Insurance Agents of Florida, Inc.; the Florida~~
741 ~~Association of Health Underwriters; the Specialty Agents'~~
742 ~~Association; the Latin American Agents' Association; and the~~
743 ~~National Association of Insurance Women. Such board members must~~
744 ~~possess at least a bachelor's degree or higher from an~~
745 ~~accredited college or university with major coursework in~~
746 ~~insurance, risk management, or education or possess the~~
747 ~~designation of CLU, CPCU, ChFC, CFP, AAI, or CIC. In addition,~~
748 ~~each member must possess 5 years of classroom instruction~~
749 ~~experience or 5 years of experience in the development or design~~
750 ~~of educational programs or 10 years of experience as a licensed~~
751 ~~resident agent. Each organization may submit to the department a~~
752 ~~list of recommendations for appointment. If one organization~~
753 ~~does not submit a list of recommendations, the Chief Financial~~
754 ~~Officer may select more than one recommended person from a list~~
755 ~~submitted by other eligible organizations.~~

756 ~~2. Two members representing insurance companies at least~~

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757 ~~one of whom must represent a Florida Domestic Company and one of~~
758 ~~whom must represent the Florida Insurance Council. Such board~~
759 ~~members must be employed within the training department of the~~
760 ~~insurance company. At least one such member must be a member of~~
761 ~~the Society of Insurance Trainers and Educators.~~

762 ~~3. One member representing the general public who is not~~
763 ~~directly employed in the insurance industry. Such board member~~
764 ~~must possess a minimum of a bachelor's degree or higher from an~~
765 ~~accredited college or university with major coursework in~~
766 ~~insurance, risk management, training, or education.~~

767 ~~4. One member, appointed by the Chief Financial Officer,~~
768 ~~who represents the department.~~

769 ~~(c) The members of the board shall serve at the pleasure~~
770 ~~of the Chief Financial Officer. Each board member shall be~~
771 ~~entitled to reimbursement for expenses pursuant to s. 112.061.~~
772 ~~The board shall designate one member as chair. The board shall~~
773 ~~meet at the call of the chair or the Chief Financial Officer.~~

774 ~~(10)(7)~~ The department may contract services relative to
775 the administration of the continuing education program to a
776 private entity. The contract shall be procured as a ~~contract for~~
777 ~~a contractual service pursuant to s. 287.057.~~

778 Section 13. Effective October 1, 2014, subsection (3) of
779 section 626.2815, Florida Statutes, as amended by this act, is
780 amended to read:

781 626.2815 Continuing education requirements.—

782 (3) Each licensee ~~subject to this section must, except as~~
783 ~~set forth in paragraphs (b), (c), and (d), complete a 7-hour~~
784 ~~update course every 2 years which is specific to the license~~

785 held by the licensee. The course must be developed and offered
 786 by providers and approved by the department. The content of the
 787 course must address all lines of insurance for which examination
 788 and license is required and include the following subject areas:
 789 insurance law updates, ethics for insurance professionals,
 790 disciplinary trends and case studies, industry trends,
 791 determining suitability of products and services, and other
 792 similar insurance-related topics the department determines are
 793 relevant to legally and ethically carrying out the
 794 responsibilities of the license granted. A licensee who holds
 795 multiple insurance licenses must complete an update course that
 796 is specific to at least one of the licenses held. Except as
 797 otherwise specified, any remaining required hours of continuing
 798 education are elective and may consist of any continuing
 799 education course approved by the department or under this
 800 section minimum of 24 hours of continuing education courses
 801 every 2 years in basic or higher-level courses prescribed by
 802 this section or in other courses approved by the department.

803 (a) Except as provided in paragraphs (b), (c), (d), (e),
 804 and (f), each licensee must also complete 17 3 hours of elective
 805 continuing education courses, approved by the department, every
 806 2 years on the subject matter of ethics. Each licensed general
 807 lines agent and customer representative must complete 1 hour of
 808 continuing education, approved by the department, every 2 years
 809 on the subject matter of premium discounts available on property
 810 insurance policies based on various hurricane mitigation options
 811 and the means for obtaining the discounts.

812 (b) A licensee who has been licensed for 6 or more years

813 must also complete a minimum of 13 ~~20~~ hours of elective
 814 continuing education every 2 years ~~in intermediate or advanced-~~
 815 ~~level courses prescribed by this section or in other courses~~
 816 ~~approved by the department.~~

817 (c) A licensee who has been licensed for 25 years or more
 818 and is a CLU or a CPCU or has a Bachelor of Science degree in
 819 risk management or insurance with evidence of 18 or more
 820 semester hours in ~~upper-level~~ insurance-related courses must
 821 also complete a minimum of 3 ~~10~~ hours of elective continuing
 822 education courses every 2 years ~~in courses prescribed by this~~
 823 ~~section or in other courses approved by the department.~~

824 (d) An individual who holds a license as a customer
 825 representative, limited customer representative, title agent,
 826 ~~motor vehicle physical damage and mechanical breakdown insurance~~
 827 ~~agent, crop or hail and multiple-peril crop insurance agent, or~~
 828 an industrial fire insurance or burglary insurance agent and who
 829 is not a licensed life or health agent, must also complete a
 830 minimum of 3 ~~10~~ hours of continuing education courses every two
 831 years.

832 ~~(e) An individual who holds a license to solicit or sell~~
 833 ~~life or health insurance and a license to solicit or sell~~
 834 ~~property, casualty, surety, or surplus lines insurance must~~
 835 ~~complete courses in life or health insurance for one-half of the~~
 836 ~~total hours required and courses in property, casualty, surety,~~
 837 ~~or surplus lines insurance for one-half of the total hours~~
 838 ~~required. However, a licensee who holds an industrial fire or~~
 839 ~~burglary insurance license and who is a licensed life or health~~
 840 ~~agent must complete 4 hours of continuing education courses~~

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841 ~~every 2 years related to industrial fire or burglary insurance~~
842 ~~and the remaining number of hours of continuing education~~
843 ~~courses related to life or health insurance.~~

844 (e) An individual subject to chapter 648 must complete the
845 7-hour update course and a minimum of 7 hours of elective
846 continuing education courses every 2 years.

847 (f) Elective continuing education courses for public
848 adjusters must be specifically designed for public adjusters and
849 approved by the department. Notwithstanding this subsection,
850 public adjusters for workers' compensation insurance or health
851 insurance are not required to take continuing education courses
852 pursuant to this section.

853 (g)~~(f)~~ Excess hours accumulated during any 2-year
854 compliance period may be carried forward to the next compliance
855 period.

856 (h)~~(g)~~ An individual teaching an approved course of
857 instruction or lecturing at an any approved seminar and
858 attending the entire course or seminar qualifies for the same
859 number of classroom hours as would be granted to a person taking
860 and successfully completing such course or seminar. Credit is
861 limited to the number of hours actually taught unless a person
862 attends the entire course or seminar. An individual who is an
863 official of or employed by a governmental entity in this state
864 and serves as a professor, instructor, or other position or
865 office, the duties and responsibilities of which are determined
866 by the department to require monitoring and review of insurance
867 laws or insurance regulations and practices, is exempt from this
868 section.

869 Section 14. Subsections (1) and (2) of section 626.292,
 870 Florida Statutes, are amended to read:

871 626.292 Transfer of license from another state.—

872 (1) An ~~Any~~ individual licensed in good standing in another
 873 state may apply to the department to have the license
 874 transferred to this state to obtain a ~~Florida~~ resident agent or
 875 all-lines adjuster license for the same lines of authority
 876 covered by the license in the other state.

877 (2) To qualify for a license transfer, an individual
 878 applicant must meet the following requirements:

879 (a) The individual must ~~shall~~ become a resident of this
 880 state.

881 (b) The individual must ~~shall~~ have been licensed in
 882 another state for a minimum of 1 year immediately preceding the
 883 date the individual became a resident of this state.

884 (c) The individual must ~~shall~~ submit a completed
 885 application for this state which is received by the department
 886 within 90 days after the date the individual became a resident
 887 of this state, along with payment of the applicable fees set
 888 forth in s. 624.501 and submission of the following documents:

889 1. A certification issued by the appropriate official of
 890 the applicant's home state identifying the type of license and
 891 lines of authority under the license and stating that, at the
 892 time the license from the home state was canceled, the applicant
 893 was in good standing in that state or that the state's Producer
 894 Database records, maintained by the National Association of
 895 Insurance Commissioners, its affiliates, or subsidiaries,
 896 indicate that the agent or all-lines adjuster is or was licensed

897 in good standing for the line of authority requested.

898 2. A set of the ~~individual~~ applicant's fingerprints in
899 accordance with s. 626.171(4).

900 (d) The individual must ~~shall~~ satisfy prelicensing
901 education requirements in this state, unless the completion of
902 prelicensing education requirements was a prerequisite for
903 licensure in the other state and the prelicensing education
904 requirements in the other state are substantially equivalent to
905 the prelicensing requirements of this state as determined by the
906 department. This paragraph does not apply to all-lines
907 adjusters.

908 (e) The individual must ~~shall~~ satisfy the examination
909 requirement under s. 626.221, unless exempted ~~exempt thereunder.~~

910 Section 15. Subsections (2) and (3) of section 626.311,
911 Florida Statutes, are amended to read:

912 626.311 Scope of license.—

913 (2) Except with respect ~~as~~ to a limited license as a
914 credit ~~life or disability~~ insurance agent, the license of a life
915 agent covers ~~shall cover~~ all classes of life insurance business.

916 (3) Except with respect ~~as~~ to a limited license as a
917 travel personal accident insurance agent, the license of a
918 health agent covers ~~shall cover~~ all kinds of health insurance;
919 and such ~~no~~ license may not ~~shall~~ be ~~issued~~ limited to a
920 particular class of health insurance.

921 Section 16. Subsections (1) and (4) of section 626.321,
922 Florida Statutes, are amended to read:

923 626.321 Limited licenses.—

924 (1) The department shall issue to a qualified applicant

925 ~~individual, or a qualified individual or entity under paragraphs~~
 926 ~~(e), (d), (e), and (i),~~ a license as agent authorized to
 927 transact a limited class of business in any of the following
 928 categories of limited lines insurance:

929 (a) *Motor vehicle physical damage and mechanical breakdown*
 930 *insurance.*—License covering insurance against only the loss of
 931 or damage to a any motor vehicle that which is designed for use
 932 upon a highway, including trailers and semitrailers designed for
 933 use with such vehicles. Such license also covers insurance
 934 against the failure of an original or replacement part to
 935 perform any function for which it was designed. ~~The applicant~~
 936 ~~for such a license shall pass a written examination covering~~
 937 ~~motor vehicle physical damage insurance and mechanical breakdown~~
 938 ~~insurance.~~ A licensee under this paragraph may not ~~No individual~~
 939 ~~while so licensed shall~~ hold a license as an agent for ~~as to~~ any
 940 other or additional kind or class of insurance coverage except
 941 ~~as to~~ a limited license for credit insurance ~~life and disability~~
 942 ~~insurances~~ as provided in paragraph (e). Effective October 1,
 943 2012, all licensees holding such limited license and appointment
 944 may renew the license and appointment, but no new or additional
 945 licenses may be issued pursuant to this paragraph, and a
 946 licensee whose limited license under this paragraph has been
 947 terminated, suspended, or revoked may not have such license
 948 reinstated.

949 (b) *Industrial fire insurance or burglary insurance.*—
 950 License covering only industrial fire insurance or burglary
 951 insurance. The applicant for such a license must ~~shall~~ pass a
 952 written examination covering such insurance. A licensee under

953 this paragraph may not ~~No individual while so licensed shall~~
 954 hold a license as an agent for ~~as to~~ any other or additional
 955 kind or class of insurance coverage except for ~~as to~~ life
 956 insurance and health insurance ~~insurances~~.

957 (c) *Travel insurance.*—License covering only policies and
 958 certificates of travel insurance, which are subject to review by
 959 the office under s. 624.605(1)(q). Policies and certificates of
 960 travel insurance may provide coverage for risks incidental to
 961 travel, planned travel, or accommodations while traveling,
 962 including, but not limited to, accidental death and
 963 dismemberment of a traveler; trip cancellation, interruption, or
 964 delay; loss of or damage to personal effects or travel
 965 documents; baggage delay; emergency medical travel or evacuation
 966 of a traveler; or medical, surgical, and hospital expenses
 967 related to an illness or emergency of a traveler. ~~Any~~ Such
 968 policy or certificate may be issued for terms longer than 60
 969 days, but ~~each policy or certificate~~, other than a policy or
 970 certificate providing coverage for air ambulatory services only,
 971 each policy or certificate must be limited to coverage for
 972 travel or use of accommodations of no longer than 60 days. The
 973 license may be issued only:

974 1. To a full-time salaried employee of a common carrier or
 975 a full-time salaried employee or owner of a transportation
 976 ticket agency and may authorize the sale of such ticket policies
 977 only in connection with the sale of transportation tickets, or
 978 to the full-time salaried employee of such an agent. ~~No~~ Such
 979 policy may not ~~shall~~ be for a ~~duration of~~ more than 48 hours or
 980 more than ~~for~~ the duration of a specified one-way trip or round

981 trip.

982 2. To an entity or individual that is:

983 a. The developer of a timeshare plan that is the subject
984 of an approved public offering statement under chapter 721;

985 b. An exchange company operating an exchange program
986 approved under chapter 721;

987 c. A managing entity operating a timeshare plan approved
988 under chapter 721;

989 d. A seller of travel as defined in chapter 559; or

990 e. A subsidiary or affiliate of any of the entities
991 described in sub-subparagraphs a.-d.

992

993 A licensee shall require each employee who offers policies or
994 certificates under this subparagraph to receive initial training
995 from a general lines agent or an insurer authorized under
996 chapter 624 to transact insurance within this state. For an
997 entity applying for a license as a travel insurance agent, the
998 fingerprinting requirement of this section applies only to the
999 president, secretary, and treasurer and to any other officer or
1000 person who directs or controls the travel insurance operations
1001 of the entity.

1002 (d) *Motor vehicle rental insurance.*—

1003 1. License covering only insurance of the risks set forth
1004 in this paragraph when offered, sold, or solicited with and
1005 incidental to the rental or lease of a motor vehicle and which
1006 applies only to the motor vehicle that is the subject of the
1007 lease or rental agreement and the occupants of the motor
1008 vehicle:

1009 a. Excess motor vehicle liability insurance providing
 1010 coverage in excess of the standard liability limits provided by
 1011 the lessor in the lessor's lease to a person renting or leasing
 1012 a motor vehicle from the licensee's employer for liability
 1013 arising in connection with the negligent operation of the leased
 1014 or rented motor vehicle.

1015 b. Insurance covering the liability of the lessee to the
 1016 lessor for damage to the leased or rented motor vehicle.

1017 c. Insurance covering the loss of or damage to baggage,
 1018 personal effects, or travel documents of a person renting or
 1019 leasing a motor vehicle.

1020 d. Insurance covering accidental personal injury or death
 1021 of the lessee and any passenger who is riding or driving with
 1022 the covered lessee in the leased or rented motor vehicle.

1023 2. Insurance under a motor vehicle rental insurance
 1024 license may be issued only if the lease or rental agreement is
 1025 for no more than 60 days, the lessee is not provided coverage
 1026 for more than 60 consecutive days per lease period, and the
 1027 lessee is given written notice that his or her personal
 1028 insurance policy providing coverage on an owned motor vehicle
 1029 may provide coverage of such risks and that the purchase of the
 1030 insurance is not required in connection with the lease or rental
 1031 of a motor vehicle. If the lease is extended beyond 60 days, the
 1032 coverage may be extended one time only for a period not to
 1033 exceed an additional 60 days. Insurance may be provided to the
 1034 lessee as an additional insured on a policy issued to the
 1035 licensee's employer.

1036 3. The license may be issued only to the full-time

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1037 | salaried employee of a licensed general lines agent or to a
 1038 | business entity that offers motor vehicles for rent or lease if
 1039 | insurance sales activities authorized by the license are in
 1040 | connection with and incidental to the rental or lease of a motor
 1041 | vehicle.

1042 | a. A license issued to a business entity that offers motor
 1043 | vehicles for rent or lease encompasses ~~shall encompass~~ each
 1044 | office, branch office, or place of business making use of the
 1045 | entity's business name in order to offer, solicit, and sell
 1046 | insurance pursuant to this paragraph.

1047 | b. The application for licensure must list the name,
 1048 | address, and phone number for each office, branch office, or
 1049 | place of business that is to be covered by the license. The
 1050 | licensee shall notify the department of the name, address, and
 1051 | phone number of any new location that is to be covered by the
 1052 | license before the new office, branch office, or place of
 1053 | business engages in the sale of insurance pursuant to this
 1054 | paragraph. The licensee must ~~shall~~ notify the department within
 1055 | 30 days after closing or terminating an office, branch office,
 1056 | or place of business. Upon receipt of the notice, the department
 1057 | shall delete the office, branch office, or place of business
 1058 | from the license.

1059 | c. A licensed and appointed entity is directly responsible
 1060 | and accountable for all acts of the licensee's employees.

1061 | (e) ~~Credit life or disability insurance.~~—License covering
 1062 | ~~only~~ credit life, credit or disability insurance, credit
 1063 | property, credit unemployment, involuntary unemployment,
 1064 | mortgage life, mortgage guaranty, mortgage disability,

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1065 guaranteed automobile protection (GAP) insurance, and any other
1066 form of insurance offered in connection with an extension of
1067 credit which is limited to partially or wholly extinguishing a
1068 credit obligation that the department determines should be
1069 designated a form of limited line credit insurance. Effective
1070 October 1, 2012, all valid licenses held by persons for any of
1071 the lines of insurance listed in this paragraph shall be
1072 converted to a credit insurance license. Licensees who wish to
1073 obtain a new license reflecting such change must request a
1074 duplicate license and pay a \$5 fee as specified in s.
1075 624.501(15). The license may be issued only to an individual
1076 ~~employed by a life or health insurer as an officer or other~~
1077 ~~salariied or commissioned representative, to an individual~~
1078 ~~employed by or associated with a lending or financial~~
1079 ~~institution or creditor, or to a lending or financial~~
1080 ~~institution or creditor, and may authorize the sale of such~~
1081 ~~insurance only with respect to borrowers or debtors of such~~
1082 ~~lending or financing institution or creditor. However, only the~~
1083 ~~individual or entity whose tax identification number is used in~~
1084 ~~receiving or is credited with receiving the commission from the~~
1085 ~~sale of such insurance shall be the licensed agent of the~~
1086 ~~insurer. No individual while so licensed shall hold a license as~~
1087 ~~an agent as to any other or additional kind or class of life or~~
1088 ~~health insurance coverage. An entity holding a limited license~~
1089 ~~under this paragraph is also authorized to sell credit insurance~~
1090 ~~and credit property insurance.~~

1091 ~~(f) Credit insurance. License covering only credit~~
1092 ~~insurance, as such insurance is defined in s. 624.605(1)(i), and~~

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1093 ~~no individual or entity so licensed shall, during the same~~
1094 ~~period, hold a license as an agent as to any other or additional~~
1095 ~~kind of life or health insurance with the exception of credit~~
1096 ~~life or disability insurance as defined in paragraph (c). The~~
1097 ~~same licensing provisions as outlined in paragraph (c) apply to~~
1098 ~~entities licensed as credit insurance agents under this~~
1099 ~~paragraph.~~

1100 ~~(g) Credit property insurance. A license covering only~~
1101 ~~credit property insurance may be issued to any individual except~~
1102 ~~an individual employed by or associated with a financial~~
1103 ~~institution as defined in s. 655.005 and authorized to sell such~~
1104 ~~insurance only with respect to a borrower or debtor, not to~~
1105 ~~exceed the amount of the loan.~~

1106 ~~(f)(h) Crop hail and multiple-peril crop insurance.-~~
1107 License for insurance covering crops subject to unfavorable
1108 weather conditions, fire or lightening, flood, hail, insect
1109 infestation, disease, or other yield-reducing conditions or
1110 perils which is provided by the private insurance market, or
1111 which is subsidized by the Federal Group Insurance Corporation
1112 including multi-peril crop insurance ~~only crop hail and~~
1113 ~~multiple-peril crop insurance.~~ Notwithstanding any other
1114 provision of law, the limited license may be issued to a bona
1115 fide salaried employee of an association chartered under the
1116 Farm Credit Act of 1971, 12 U.S.C. ss. 2001 et seq., who
1117 satisfactorily completes the examination prescribed by the
1118 department pursuant to s. 626.241(5). The ~~limited~~ agent must be
1119 appointed by, and his or her limited license requested by, a
1120 licensed general lines agent. All business transacted by the

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1121 ~~limited~~ agent must be on ~~shall be in~~ behalf of, in the name of,
 1122 and countersigned by the agent by whom he or she is appointed.
 1123 Sections 626.561 and 626.748, relating to records, apply to all
 1124 business written pursuant to this section. The ~~limited~~ licensee
 1125 may be appointed by and licensed for only one general lines
 1126 agent or agency.

1127 (g)(i) ~~In-transit and storage personal property insurance,~~
 1128 ~~communications equipment property insurance, communications~~
 1129 ~~equipment inland marine insurance, and communications equipment~~
 1130 ~~service warranty agreement sales.-~~

1131 ~~1.~~ A License for insurance covering only ~~the insurance of~~
 1132 personal property not held for resale, covering the risks of
 1133 transportation or storage in rented or leased motor vehicles,
 1134 trailers, or self-service storage facilities, ~~as the latter are~~
 1135 defined in s. 83.803. Such license, may be issued, without
 1136 examination, only to employees or authorized representatives of
 1137 lessors who rent or lease motor vehicles, trailers, or self-
 1138 service storage facilities and who are authorized by an insurer
 1139 to issue certificates or other evidences of insurance to lessees
 1140 of such motor vehicles, trailers, or self-service storage
 1141 facilities under an insurance policy issued to the lessor. A
 1142 person licensed under this paragraph must ~~shall~~ give a
 1143 prospective purchaser of in-transit or storage personal property
 1144 insurance written notice that his or her homeowner's policy may
 1145 provide coverage for the loss of personal property and that the
 1146 purchase of such insurance is not required under the lease
 1147 terms.

1148 ~~2. A license covering only communications equipment, for~~

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1149 ~~the loss, theft, mechanical failure, malfunction of or damage~~
1150 ~~to, communications equipment. The license may be issued only to:~~
1151 ~~a. Employees or authorized representatives of a licensed~~
1152 ~~general lines agent;~~
1153 ~~b. The lead business location of a retail vendor of~~
1154 ~~communications equipment and its branch locations; or~~
1155 ~~c. Employees, agents, or authorized representatives of a~~
1156 ~~retail vendor of communications equipment.~~
1157
1158 ~~The license authorizes the sale of such policies, or~~
1159 ~~certificates under a group master policy, only with respect to~~
1160 ~~the sale of, or provision of communications service for,~~
1161 ~~communications equipment. A general lines agent is not required~~
1162 ~~to obtain a license under this subparagraph to offer or sell~~
1163 ~~communications equipment property insurance or communication~~
1164 ~~equipment inland marine insurance. The license also authorizes~~
1165 ~~sales of service warranty agreements covering only~~
1166 ~~communications equipment to the same extent as if licensed under~~
1167 ~~s. 634.419 or s. 634.420. The provisions of this chapter~~
1168 ~~requiring submission of fingerprints do not apply to~~
1169 ~~communications equipment licenses issued to qualified entities~~
1170 ~~under this subparagraph. Licensees offering policies under this~~
1171 ~~subparagraph must receive initial training from, and have a~~
1172 ~~contractual relationship with, a general lines agent. For the~~
1173 ~~purposes of this subparagraph, the term "communications~~
1174 ~~equipment" means handsets, pagers, personal digital assistants,~~
1175 ~~portable computers, automatic answering devices, and other~~
1176 ~~devices or accessories used to originate or receive~~

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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1177 ~~communications signals or service, and includes services related~~
1178 ~~to the use of such devices, such as consumer access to a~~
1179 ~~wireless network; however, the term does not include~~
1180 ~~telecommunications switching equipment, transmission wires, cell~~
1181 ~~site transceiver equipment, or other equipment and systems used~~
1182 ~~by telecommunications companies to provide telecommunications~~
1183 ~~service to consumers. A branch location of a retail vendor of~~
1184 ~~communications equipment licensed pursuant to paragraph (2)(b)~~
1185 ~~may, in lieu of obtaining an appointment from an insurer or~~
1186 ~~warranty association as provided in paragraph (2)(c), obtain a~~
1187 ~~single appointment from the associated lead business location~~
1188 ~~licensee licensed under paragraph (2)(a) and pay the prescribed~~
1189 ~~appointment fee under s. 624.501 provided the lead business~~
1190 ~~location has a single appointment from each insurer or warranty~~
1191 ~~association represented and such appointment provides that it~~
1192 ~~applies to the lead business location and all of its branch~~
1193 ~~locations. Any branch location individually appointed by an~~
1194 ~~insurer under paragraph (2)(c) prior to January 1, 2006, may~~
1195 ~~replace its appointments with an appointment from its lead~~
1196 ~~location at no charge. Branch location appointments shall be~~
1197 ~~renewed on the first annual anniversary of licensure of the lead~~
1198 ~~business location occurring more than 24 months after the~~
1199 ~~initial appointment date and every 24 months thereafter.~~
1200 ~~Notwithstanding s. 624.501, after July 1, 2006, the renewal fee~~
1201 ~~applicable to such branch location appointments shall be \$30 per~~
1202 ~~appointment.~~

1203 (h) Portable electronics insurance.—License for property
1204 insurance or inland marine insurance that covers only loss,

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1205 theft, mechanical failure, malfunction, or damage for portable
1206 electronics.

1207 1. The license may be issued only to:

1208 a. Employees or authorized representatives of a licensed
1209 general lines agent; or

1210 b. The lead business location of a retail vendor that
1211 sells portable electronics insurance. The lead business location
1212 must have a contractual relationship with a general lines agent.

1213 2. Employees or authorized representatives of a licensee
1214 under subparagraph 1. may sell or offer for sale portable
1215 electronics coverage without being subject to licensure as an
1216 insurance agent if:

1217 a. Such insurance is sold or offered for sale at a
1218 licensed location or at one of the licensee's branch locations
1219 if the branch location is appointed by the licensed lead
1220 business location or its appointing insurers;

1221 b. The insurer issuing the insurance directly supervises
1222 or appoints a general lines agent to supervise the sale of such
1223 insurance, including the development of a training program for
1224 the employees and authorized representatives of vendors that are
1225 directly engaged in the activity of selling or offering the
1226 insurance; and

1227 c. At each location where the insurance is offered,
1228 brochures or other written materials that provide the
1229 information required by this subparagraph are made available to
1230 all prospective customers. The brochures or written materials
1231 may include information regarding portable electronics
1232 insurance, service warranty agreements, or other incidental

1233 services or benefits offered by a licensee.

1234 3. Individuals not licensed to sell portable electronics
 1235 insurance may not be paid commissions based on the sale of such
 1236 coverage. However, a licensee who uses a compensation plan for
 1237 employees and authorized representatives which includes
 1238 supplemental compensation for the sale of noninsurance products,
 1239 in addition to a regular salary or hourly wages, may include
 1240 incidental compensation for the sale of portable electronics
 1241 insurance as a component of the overall compensation plan.

1242 4. Brochures or other written materials related to
 1243 portable electronics insurance must:

1244 a. Disclose that such insurance may duplicate coverage
 1245 already provided by a customer's homeowners' insurance policy,
 1246 renters' insurance policy, or other source of coverage;

1247 b. State that enrollment in insurance coverage is not
 1248 required in order to purchase or lease portable electronics or
 1249 services;

1250 c. Summarize the material terms of the insurance coverage,
 1251 including the identity of the insurer, the identity of the
 1252 supervising entity, the amount of any applicable deductible and
 1253 how it is to be paid, the benefits of coverage, and key terms
 1254 and conditions of coverage, such as whether portable electronics
 1255 may be repaired or replaced with similar make and model
 1256 reconditioned or nonoriginal manufacturer parts or equipment;

1257 d. Summarize the process for filing a claim, including a
 1258 description of how to return portable electronics and the
 1259 maximum fee applicable if the customer fails to comply with
 1260 equipment return requirements; and

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1261 e. State that an enrolled customer may cancel coverage at
1262 any time and that the person paying the premium will receive a
1263 refund of any unearned premium.

1264 5. A licensed and appointed general lines agent is not
1265 required to obtain a portable electronics insurance license to
1266 offer or sell portable electronics insurance at locations
1267 already licensed as an insurance agency, but may apply for a
1268 portable electronics insurance license for branch locations not
1269 otherwise licensed to sell insurance.

1270 6. A portable electronics license authorizes the sale of
1271 individual policies or certificates under a group or master
1272 insurance policy. The license also authorizes the sale of
1273 service warranty agreements covering only portable electronics
1274 to the same extent as if licensed under s. 634.419 or s.
1275 634.420.

1276 7. A licensee may bill and collect the premium for the
1277 purchase of portable electronics insurance provided that:

1278 a. If the insurance is included with the purchase or lease
1279 of portable electronics or related services, the licensee
1280 clearly and conspicuously discloses that insurance coverage is
1281 included with the purchase. Disclosure of the dollar amount of
1282 the premium for the insurance must be made on the customer's
1283 bill and in any marketing materials made available at the point
1284 of sale. If the insurance is not included, the charge to the
1285 customer for the insurance must be separately itemized on the
1286 customer's bill.

1287 b. Premiums are incidental to other fees collected, are
1288 maintained in a manner that is readily identifiable, and are

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1289 accounted for and remitted to the insurer or supervising entity
1290 within 60 days of receipt. Licensees are not required to
1291 maintain such funds in a segregated account.

1292 c. All funds received by a licensee from an enrolled
1293 customer for the sale of the insurance are considered funds held
1294 in trust by the licensee in a fiduciary capacity for the benefit
1295 of the insurer. Licensees may receive compensation for billing
1296 and collection services.

1297 8. Notwithstanding any other provision of law, the terms
1298 for the termination or modification of coverage under a policy
1299 of portable electronics insurance are those set forth in the
1300 policy.

1301 9. Notice or correspondence required by the policy, or
1302 otherwise required by law, may be provided by electronic means
1303 if the insurer or licensee maintains proof that the notice or
1304 correspondence was sent. Such notice or correspondence may be
1305 sent on behalf of the insurer or licensee by the general lines
1306 agent appointed by the insurer to supervise the administration
1307 of the program. For purposes of this subparagraph, an enrolled
1308 customer's provision of an electronic mail address to the
1309 insurer or licensee is deemed to be consent to receive notices
1310 and correspondence by electronic means if a conspicuously
1311 located disclosure is provided to the customer indicating the
1312 same.

1313 10. The provisions of this chapter requiring submission of
1314 fingerprints do not apply to licenses issued to qualified
1315 entities under this paragraph.

1316 11. A branch location that sells portable electronics

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1317 insurance may, in lieu of obtaining an appointment from an
1318 insurer or warranty association, obtain a single appointment
1319 from the associated lead business location licensee and pay the
1320 prescribed appointment fee under s. 624.501 if the lead business
1321 location has a single appointment from each insurer or warranty
1322 association represented and such appointment applies to the lead
1323 business location and all of its branch locations. Branch
1324 location appointments shall be renewed on the first annual
1325 anniversary of licensure of the lead business location occurring
1326 more than 24 months after the initial appointment date and every
1327 24 months thereafter. Notwithstanding s. 624.501, the renewal
1328 fee applicable to such branch location appointments is \$30 per
1329 appointment.

1330 12. For purposes of this paragraph:

1331 a. "Branch location" means any physical location in this
1332 state at which a licensee offers its products or services for
1333 sale.

1334 b. "Portable electronics" means personal, self-contained,
1335 easily carried by an individual, battery-operated electronic
1336 communication, viewing, listening, recording, gaming, computing
1337 or global positioning devices, including cell or satellite
1338 phones, pagers, personal global positioning satellite units,
1339 portable computers, portable audio listening, video viewing or
1340 recording devices, digital cameras, video camcorders, portable
1341 gaming systems, docking stations, automatic answering devices,
1342 and other similar devices and their accessories, and service
1343 related to the use of such devices.

1344 c. "Portable electronics transaction" means the sale or

1345 lease of portable electronics or a related service, including
 1346 portable electronics insurance.

1347 (4) Except as otherwise expressly provided, a person
 1348 applying for or holding a limited license is ~~shall be~~ subject to
 1349 the same applicable requirements and responsibilities that ~~as~~
 1350 apply to general lines agents in general, ~~if licensed as to~~
 1351 motor vehicle physical damage and mechanical breakdown
 1352 insurance, ~~credit property insurance,~~ industrial fire insurance
 1353 or burglary insurance, motor vehicle rental insurance, credit
 1354 insurance, crop hail and multiple-peril crop insurance, in-
 1355 transit and storage personal property insurance, or portable
 1356 electronics insurance ~~communications equipment property~~
 1357 ~~insurance or communications equipment inland marine insurance,~~
 1358 ~~baggage and motor vehicle excess liability insurance, or credit~~
 1359 ~~insurance;~~ or as apply to life agents or health agents in
 1360 general, as applicable ~~the case may be,~~ if licensed as to travel
 1361 ~~personal accident insurance or credit life or credit disability~~
 1362 ~~insurance.~~

1363 Section 17. Section 626.342, Florida Statutes, is amended
 1364 to read:

1365 626.342 Furnishing supplies to unlicensed ~~life, health, or~~
 1366 ~~general lines~~ agent prohibited; civil liability.-

1367 (1) An insurer, a managing general agent, an insurance
 1368 agency, or an agent, directly or through a ~~any~~ representative,
 1369 may not furnish to an ~~any~~ agent any blank forms, applications,
 1370 stationery, or other supplies to be used in soliciting,
 1371 negotiating, or effecting contracts of insurance on its behalf
 1372 unless such blank forms, applications, stationery, or other

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1373 supplies relate to a class of business for ~~with respect to~~ which
 1374 the agent is licensed and appointed, whether for that insurer or
 1375 another insurer.

1376 (2) An ~~Any~~ insurer, general agent, insurance agency, or
 1377 agent who furnishes any of the supplies specified in subsection
 1378 (1) to an ~~any~~ agent or prospective agent not appointed to
 1379 represent the insurer and who accepts from or writes any
 1380 insurance business for such agent or agency is subject to civil
 1381 liability to an ~~any~~ insured of such insurer to the same extent
 1382 and ~~in the same~~ manner as if such agent or prospective agent had
 1383 been appointed or authorized by the insurer or such agent to act
 1384 on ~~in~~ its or his or her behalf. The provisions of this
 1385 subsection do not apply to insurance risk apportionment plans
 1386 under s. 627.351.

1387 (3) This section does not apply to the placing of surplus
 1388 lines business under the provisions of ss. 626.913-626.937.

1389 Section 18. Subsection (1) of section 626.381, Florida
 1390 Statutes, is amended to read:

1391 626.381 Renewal, continuation, reinstatement, or
 1392 termination of appointment.-

1393 (1) The appointment of an appointee continues ~~shall~~
 1394 ~~continue~~ in force until suspended, revoked, or otherwise
 1395 terminated, but is subject to a renewal request filed by the
 1396 appointing entity in the appointee's birth month as to natural
 1397 persons or the month the original appointment was issued ~~license~~
 1398 ~~date~~ as to entities and every 24 months thereafter, accompanied
 1399 by payment of the renewal appointment fee and taxes as
 1400 prescribed in s. 624.501.

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1401 Section 19. Section 626.536, Florida Statutes, is amended
 1402 to read:

1403 626.536 Reporting of administrative actions. ~~Each agent~~
 1404 ~~and insurance agency shall submit to the department,~~ Within 30
 1405 days after the final disposition of an ~~any~~ administrative action
 1406 taken against a licensee ~~the agent~~ or insurance agency by a
 1407 governmental agency or other regulatory agency in this or any
 1408 other state or jurisdiction relating to the business of
 1409 insurance, the sale of securities, or activity involving fraud,
 1410 dishonesty, trustworthiness, or breach of a fiduciary duty, the
 1411 licensee or insurance agency must submit a copy of the order,
 1412 consent to order, or other relevant legal documents to the
 1413 department. The department may adopt rules to administer
 1414 ~~implementing the provisions of~~ this section.

1415 Section 20. Section 626.551, Florida Statutes, is amended
 1416 to read:

1417 626.551 Notice of change of address, name. ~~A Every~~
 1418 licensee must ~~shall~~ notify the department, in writing, within 30
 1419 ~~60~~ days after a change of name, residence address, principal
 1420 business street address, mailing address, contact telephone
 1421 numbers, including a business telephone number, or e-mail
 1422 address. A licensee ~~licensed agent~~ who has moved his or her
 1423 residence from this state shall have his or her license and all
 1424 appointments immediately terminated by the department. Failure
 1425 to notify the department within the required time ~~period~~ shall
 1426 result in a fine not to exceed \$250 for the first offense and ~~7~~
 1427 ~~for subsequent offenses,~~ a fine of at least \$500 or suspension
 1428 or revocation of the license pursuant to s. 626.611, s.

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1429 626.6115, or s. 626.621, or s. 626.6215 for a subsequent
 1430 offense. The department may adopt rules to administer and
 1431 enforce this section.

1432 Section 21. Subsection (14) is added to section 626.621,
 1433 Florida Statutes, to read:

1434 626.621 Grounds for discretionary refusal, suspension, or
 1435 revocation of agent's, adjuster's, customer representative's,
 1436 service representative's, or managing general agent's license or
 1437 appointment.—The department may, in its discretion, deny an
 1438 application for, suspend, revoke, or refuse to renew or continue
 1439 the license or appointment of any applicant, agent, adjuster,
 1440 customer representative, service representative, or managing
 1441 general agent, and it may suspend or revoke the eligibility to
 1442 hold a license or appointment of any such person, if it finds
 1443 that as to the applicant, licensee, or appointee any one or more
 1444 of the following applicable grounds exist under circumstances
 1445 for which such denial, suspension, revocation, or refusal is not
 1446 mandatory under s. 626.611:

1447 (14) Failure to comply with any civil, criminal, or
 1448 administrative action taken by the child support enforcement
 1449 program under Title IV-D of the Social Security Act, 42 U.S.C.
 1450 ss. 651 et seq., to determine paternity or to establish, modify,
 1451 enforce, or collect support.

1452 Section 22. Subsection (4) of section 626.641, Florida
 1453 Statutes, is amended to read:

1454 626.641 Duration of suspension or revocation.—

1455 (4) During the period of suspension or revocation of a the
 1456 license or appointment, and until the license is reinstated or,

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1457 if revoked, a new license issued, the former licensee or
 1458 appointee may ~~shall~~ not engage in or attempt or profess to
 1459 engage in any transaction or business for which a license or
 1460 appointment is required under this code or directly or
 1461 indirectly own, control, or be employed in any manner by an ~~any~~
 1462 ~~insurance agent, or agency, or adjuster,~~ or adjusting firm.

1463 Section 23. Subsection (1) of section 626.651, Florida
 1464 Statutes, is amended to read:

1465 626.651 Effect of suspension, revocation upon associated
 1466 licenses and appointments and licensees and appointees.—

1467 (1) Upon suspension, revocation, or refusal to renew or
 1468 continue any one license of an insurance agent ~~or customer~~
 1469 representative, or upon suspension or revocation of eligibility
 1470 to hold a license or appointment, the department shall at the
 1471 same time likewise suspend or revoke all other licenses,
 1472 appointments, or status of eligibility held by the licensee or
 1473 appointee under this code.

1474 Section 24. Subsection (4) of section 626.730, Florida
 1475 Statutes, is amended to read:

1476 626.730 Purpose of license.—

1477 (4) This section does not prohibit ~~the~~ licensing, under a
 1478 limited license for credit insurance, a person who is as to
 1479 ~~motor vehicle physical damage and mechanical breakdown insurance~~
 1480 ~~or credit property insurance of any person~~ employed by or
 1481 associated with a motor vehicle sales or financing agency, a
 1482 retail sales establishment, or a consumer loan office, for the
 1483 purpose of insuring ~~other than a consumer loan office owned by~~
 1484 ~~or affiliated with a financial institution as defined in s.~~

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1485 ~~655.005, with respect to insurance of~~ the interest of such
 1486 ~~agency, establishment, or office~~ in a motor vehicle sold or
 1487 financed by it or in personal property if used as collateral for
 1488 a loan.

1489 (5) This section does not apply ~~with respect to~~ the
 1490 interest of a real estate mortgagee in or as to insurance
 1491 covering such interest or in the real estate subject to such
 1492 mortgage.

1493 Section 25. Section 626.732, Florida Statutes, is amended
 1494 to read:

1495 626.732 Requirement as to knowledge, experience, or
 1496 instruction.—

1497 (1) Except as provided in subsection (4) ~~(3)~~, an ~~no~~
 1498 applicant for a license as a general lines agent ~~or personal~~
 1499 ~~lines agent~~, except for a chartered property and casualty
 1500 underwriter (CPCU), may not ~~other than as to a limited license~~
 1501 ~~as to baggage and motor vehicle excess liability insurance,~~
 1502 ~~credit property insurance, credit insurance, in-transit and~~
 1503 ~~storage personal property insurance, or communications equipment~~
 1504 ~~property insurance or communication equipment inland marine~~
 1505 ~~insurance, shall~~ be qualified or licensed unless, within the 4
 1506 years immediately preceding the date the application for license
 1507 is filed with the department, the applicant has:

1508 (a) Taught or successfully completed classroom courses in
 1509 insurance, 3 hours of which must ~~shall~~ be on the subject matter
 1510 of ethics, ~~satisfactory to the department~~ at a school, college,
 1511 or extension division thereof, approved by the department. ~~To~~
 1512 ~~qualify for licensure as a personal lines agent, the applicant~~

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1513 ~~must complete a total of 52 hours of classroom courses in~~
1514 ~~insurance;~~

1515 (b) Completed a correspondence course in insurance, 3
1516 hours of which must ~~shall~~ be on the subject matter of ethics,
1517 satisfactory to the department and regularly offered by
1518 accredited institutions of higher learning in this state, and
1519 ~~have, except if he or she is applying for a limited license~~
1520 ~~under s. 626.321, for licensure as a general lines agent, has~~
1521 ~~had~~ at least 6 months of responsible insurance duties as a
1522 substantially full-time bona fide employee in all lines of
1523 property and casualty insurance set forth in the definition of
1524 general lines agent under s. 626.015 ~~or, for licensure as a~~
1525 ~~personal lines agent, has completed at least 3 months in~~
1526 ~~responsible insurance duties as a substantially full-time~~
1527 ~~employee in property and casualty insurance sold to individuals~~
1528 ~~and families for noncommercial purposes;~~

1529 (c) ~~For licensure as a general lines agent,~~ Completed at
1530 least 1 year in responsible insurance duties as a substantially
1531 full-time bona fide employee in all lines of property and
1532 casualty insurance, ~~exclusive of aviation and wet marine and~~
1533 ~~transportation insurances but not exclusive of boats of less~~
1534 ~~than 36 feet in length or aircraft not held out for hire, as set~~
1535 ~~forth in the definition of a general lines agent under s.~~
1536 ~~626.015, but~~ without the education requirement described
1537 ~~mentioned in paragraph (a) or paragraph (b) or, for licensure as~~
1538 ~~a personal lines agent, has completed at least 6 months in~~
1539 ~~responsible insurance duties as a substantially full-time~~
1540 ~~employee in property and casualty insurance sold to individuals~~

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1541 ~~and families for noncommercial purposes without the education~~
 1542 ~~requirement in paragraph (a) or paragraph (b);~~

1543 ~~(d)1. For licensure as a general lines agent, Completed at~~
 1544 ~~least 1 year of responsible insurance duties as a licensed and~~
 1545 ~~appointed customer representative or limited customer~~
 1546 ~~representative in commercial or personal lines of property and~~
 1547 ~~casualty insurance and 40 hours of classroom courses approved by~~
 1548 ~~the department covering the areas of property, casualty, surety,~~
 1549 ~~health, and marine insurance; or~~

1550 ~~2. For licensure as a personal lines agent, completed at~~
 1551 ~~least 6 months of responsible duties as a licensed and appointed~~
 1552 ~~customer representative or limited customer representative in~~
 1553 ~~property and casualty insurance sold to individuals and families~~
 1554 ~~for noncommercial purposes and 20 hours of classroom courses~~
 1555 ~~approved by the department which are related to property and~~
 1556 ~~casualty insurance sold to individuals and families for~~
 1557 ~~noncommercial purposes;~~

1558 ~~(e)1. For licensure as a general lines agent, Completed at~~
 1559 ~~least 1 year of responsible insurance duties as a licensed and~~
 1560 ~~appointed service representative in either commercial or~~
 1561 ~~personal lines of property and casualty insurance and 80 hours~~
 1562 ~~of classroom courses approved by the department covering the~~
 1563 ~~areas of property, casualty, surety, health, and marine~~
 1564 ~~insurance.; or~~

1565 ~~2. For licensure as a personal lines agent, completed at~~
 1566 ~~least 6 months of responsible insurance duties as a licensed and~~
 1567 ~~appointed service representative in property and casualty~~
 1568 ~~insurance sold to individuals and families for noncommercial~~

1569 ~~purposes and 40 hours of classroom courses approved by the~~
 1570 ~~department related to property and casualty insurance sold to~~
 1571 ~~individuals and families for noncommercial purposes; or~~

1572 (2) Except as provided under subsection (4), an applicant
 1573 for a license as a personal lines agent, except for a chartered
 1574 property and casualty underwriter (CPCU), may not be qualified
 1575 or licensed unless, within the 4 years immediately preceding the
 1576 date the application for license is filed with the department,
 1577 the applicant has:

1578 (a) Taught or successfully completed classroom courses in
 1579 insurance, 3 hours of which must be on the subject matter of
 1580 ethics, at a school, college, or extension division thereof,
 1581 approved by the department. To qualify for licensure, the
 1582 applicant must complete a total of 52 hours of classroom courses
 1583 in insurance;

1584 (b) Completed a correspondence course in insurance, 3
 1585 hours of which must be on the subject matter of ethics,
 1586 satisfactory to the department and regularly offered by
 1587 accredited institutions of higher learning in this state, and
 1588 completed at least 3 months of responsible insurance duties as a
 1589 substantially full-time employee in the area of property and
 1590 casualty insurance sold to individuals and families for
 1591 noncommercial purposes;

1592 (c) Completed at least 6 months of responsible insurance
 1593 duties as a substantially full-time employee in the area of
 1594 property and casualty insurance sold to individuals and families
 1595 for noncommercial purposes, but without the education
 1596 requirement described in paragraph (a) or paragraph (b);

1597 (d) Completed at least 6 months of responsible duties as a
 1598 licensed and appointed customer representative or limited
 1599 customer representative in property and casualty insurance sold
 1600 to individuals and families for noncommercial purposes and 20
 1601 hours of classroom courses approved by the department which are
 1602 related to property and casualty insurance sold to individuals
 1603 and families for noncommercial purposes;

1604 (e) Completed at least 6 months of responsible insurance
 1605 duties as a licensed and appointed service representative in
 1606 property and casualty insurance sold to individuals and families
 1607 for noncommercial purposes and 40 hours of classroom courses
 1608 approved by the department related to property and casualty
 1609 insurance sold to individuals and families for noncommercial
 1610 purposes; or

1611 ~~(f) For licensure as a personal lines agent,~~ Completed at
 1612 least 3 years of responsible duties as a licensed and appointed
 1613 customer representative in property and casualty insurance sold
 1614 to individuals and families for noncommercial purposes.

1615 ~~(3)-(2)~~ If ~~Where~~ an applicant's qualifications as required
 1616 under subsection (1) or subsection (2) in paragraph (1)(b) or
 1617 ~~paragraph (1)(c)~~ are based in part upon ~~the~~ periods of
 1618 employment in ~~at~~ responsible insurance duties ~~prescribed~~
 1619 ~~therein~~, the applicant shall submit with the license application
 1620 ~~for license~~, on a form prescribed by the department, an ~~the~~
 1621 affidavit of his or her employer setting forth the period of
 1622 such employment, that the employment ~~same~~ was substantially
 1623 full-time, and giving a brief abstract of the nature of the
 1624 duties performed by the applicant.

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1625 (4)~~(3)~~ An individual who was or became qualified to sit
1626 for an agent's, customer representative's, or adjuster's
1627 examination at or during the time he or she was employed by the
1628 department or office and who, while so employed, was employed in
1629 responsible insurance duties as a full-time bona fide employee
1630 may ~~shall be permitted to~~ take an examination if application for
1631 such examination is made within 90 days after the date of
1632 termination of ~~his or her~~ employment with the department or
1633 office.

1634 (5)~~(4)~~ Classroom and correspondence courses under
1635 subsections (1) and (2) ~~subsection (1)~~ must include instruction
1636 on the subject matter of unauthorized entities engaging in the
1637 business of insurance. The scope of the topic of unauthorized
1638 entities must ~~shall~~ include the Florida Nonprofit Multiple-
1639 Employer Welfare Arrangement Act and the Employee Retirement
1640 Income Security Act, 29 U.S.C. ss. 1001 et seq., as it relates
1641 to the provision of health insurance by employers and the
1642 regulation thereof.

1643 (6) This section does not apply to an individual holding
1644 only a limited license for travel insurance, motor vehicle
1645 rental insurance, credit insurance, in-transit and storage
1646 personal property insurance, or portable electronics insurance.

1647 Section 26. Section 626.8411, Florida Statutes, is amended
1648 to read:

1649 626.8411 Application of Florida Insurance Code provisions
1650 to title insurance agents or agencies.—

1651 (1) The following provisions of part II, ~~as~~ applicable to
1652 general lines agents or agencies, ~~also~~ apply to title insurance

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1653 agents or agencies:

1654 (a) Section 626.734, relating to liability of certain
1655 agents.

1656 ~~(b) Section 626.175, relating to temporary licenses.~~

1657 (b)(e) Section 626.747, relating to branch agencies.

1658 (c) Section 626.749, relating to place of business in
1659 residence.

1660 (d) Section 626.753, relating to sharing of commissions.

1661 (e) Section 626.754, relating to rights of agent following
1662 termination of appointment.

1663 (2) The following provisions of part I do not apply to
1664 title insurance agents or title insurance agencies:

1665 (a) Section 626.112(7), relating to licensing of insurance
1666 agencies.

1667 (b) Section 626.231, relating to eligibility for
1668 examination.

1669 (c) Section 626.572, relating to rebating, when allowed.

1670 (d) Section 626.172, relating to agent in full-time
1671 charge.

1672 Section 27. Section 626.8418, Florida Statutes, is amended
1673 to read:

1674 626.8418 Application for title insurance agency license.—

1675 Before ~~Prior to~~ doing business in this state as a title
1676 insurance agency, the ~~a title insurance~~ agency must ~~meet all of~~
1677 ~~the following requirements:~~

1678 ~~(1) The applicant must~~ file with the department an
1679 application for a license as a title insurance agency, on
1680 ~~printed~~ forms furnished by the department, which include that

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1681 ~~includes~~ all of the following:

1682 (1)~~(a)~~ The name of each majority owner, partner, officer,
1683 and director of the agency.

1684 (2)~~(b)~~ The residence address of each person required to be
1685 listed under subsection (1) ~~paragraph (a)~~.

1686 (3)~~(c)~~ The name of the agency and its principal business
1687 address.

1688 (4)~~(d)~~ The location of each agency office and the name
1689 under which each ~~agency~~ office conducts or will conduct
1690 business.

1691 (5)~~(e)~~ The name of each agent to be in full-time charge of
1692 an agency office and the identification ~~specification~~ of such
1693 ~~which~~ office.

1694 (6)~~(f)~~ Such additional information as the department
1695 requires by rule to ascertain the trustworthiness and competence
1696 of persons required to be listed on the application and to
1697 ascertain that such persons meet the requirements of this code.

1698 ~~(2) The applicant must have deposited with the department~~
1699 ~~securities of the type eligible for deposit under s. 625.52 and~~
1700 ~~having at all times a market value of not less than \$35,000. In~~
1701 ~~place of such deposit, the title insurance agency may post a~~
1702 ~~surety bond of like amount payable to the department for the~~
1703 ~~benefit of any appointing insurer damaged by a violation by the~~
1704 ~~title insurance agency of its contract with the appointing~~
1705 ~~insurer. If a properly documented claim is timely filed with the~~
1706 ~~department by a damaged title insurer, the department may remit~~
1707 ~~an appropriate amount of the deposit or the proceeds that are~~
1708 ~~received from the surety in payment of the claim. The required~~

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1709 ~~deposit or bond must be made by the title insurance agency, and~~
1710 ~~a title insurer may not provide the deposit or bond directly or~~
1711 ~~indirectly on behalf of the title insurance agency. The deposit~~
1712 ~~or bond must secure the performance by the title insurance~~
1713 ~~agency of its duties and responsibilities under the issuing~~
1714 ~~agency contracts with each title insurer for which it is~~
1715 ~~appointed. The agency may exchange or substitute other~~
1716 ~~securities of like quality and value for securities on deposit,~~
1717 ~~may receive the interest and other income accruing on such~~
1718 ~~securities, and may inspect the deposit at all reasonable times.~~
1719 ~~Such deposit or bond must remain unimpaired as long as the title~~
1720 ~~insurance agency continues in business in this state and until 1~~
1721 ~~year after termination of all title insurance agency~~
1722 ~~appointments held by the title insurance agency. The title~~
1723 ~~insurance agency is entitled to the return of the deposit or~~
1724 ~~bond together with accrued interest after such year has passed,~~
1725 ~~if no claim has been made against the deposit or bond. If a~~
1726 ~~surety bond is unavailable generally, the department may adopt~~
1727 ~~rules for alternative methods to comply with this subsection.~~
1728 ~~With respect to such alternative methods for compliance, the~~
1729 ~~department must be guided by the past business performance and~~
1730 ~~good reputation and character of the proposed title insurance~~
1731 ~~agency. A surety bond is deemed to be unavailable generally if~~
1732 ~~the prevailing annual premium exceeds 25 percent of the~~
1733 ~~principal amount of the bond.~~

1734 Section 28. Section 626.8548, Florida Statutes, is created
1735 to read:

1736 626.8548 "All-lines adjuster" defined.—An "all-lines

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1737 adjuster" is a person who is self-employed or employed by an
 1738 insurer, a wholly owned subsidiary of an insurer, or an
 1739 independent adjusting firm or other independent adjuster, and
 1740 who undertakes on behalf of an insurer or other insurers under
 1741 common control or ownership to ascertain and determine the
 1742 amount of any claim, loss, or damage payable under an insurance
 1743 contract or undertakes to effect settlement of such claim, loss,
 1744 or damage. The term does not apply to life insurance or annuity
 1745 contracts.

1746 Section 29. Section 626.855, Florida Statutes, is amended
 1747 to read:

1748 626.855 "Independent adjuster" defined.—An "independent
 1749 adjuster" means a ~~is any~~ person licensed as an all-lines
 1750 adjuster who is self-appointed ~~self-employed~~ or appointed and ~~is~~
 1751 ~~associated with or~~ employed by an independent adjusting firm or
 1752 other independent adjuster, and who undertakes on behalf of an
 1753 insurer to ascertain and determine the amount of any claim,
 1754 loss, or damage payable under an insurance contract or
 1755 undertakes to effect settlement of such claim, loss, or damage.

1756 Section 30. Section 626.856, Florida Statutes, is amended
 1757 to read:

1758 626.856 "Company employee adjuster" defined.—A "company
 1759 employee adjuster" means ~~is~~ a person licensed as an all-lines
 1760 adjuster who is appointed and employed on an insurer's staff of
 1761 adjusters or a wholly owned subsidiary of the insurer, and who
 1762 undertakes on behalf of such insurer or other insurers under
 1763 common control or ownership to ascertain and determine the
 1764 amount of any claim, loss, or damage payable under a contract of

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1765 insurance, or undertakes to effect settlement of such claim,
 1766 loss, or damage.

1767 Section 31. Section 626.858, Florida Statutes, is
 1768 repealed.

1769 Section 32. Section 626.8584, Florida Statutes, is amended
 1770 to read:

1771 626.8584 "Nonresident all-lines independent adjuster"
 1772 defined.—A "nonresident all-lines independent adjuster" means is
 1773 a person who:

- 1774 (1) Is not a resident of this state;
- 1775 (2) Is ~~a~~ currently licensed as an independent adjuster in
 1776 his or her state of residence for all lines of insurance except
 1777 life and annuities the type or kinds of insurance for which the
 1778 licensee intends to adjust claims in this state or, if a
 1779 resident of a state that does not license such independent
 1780 adjusters, meets the qualifications has passed the department's
 1781 adjuster examination as prescribed in s. 626.8734(1)(b); and

- 1782 (3) Is licensed as an all-lines adjuster and self-
 1783 appointed or appointed and a self-employed independent adjuster
 1784 or associated with or employed by an independent adjusting firm
 1785 or other independent adjuster, by an insurer admitted to do
 1786 business in this state or a wholly-owned subsidiary of an
 1787 insurer admitted to do business in this state, or by other
 1788 insurers under the common control or ownership of such insurer.

1789 Section 33. Section 626.863, Florida Statutes, is amended
 1790 to read:

1791 626.863 Claims referrals to licensed independent adjusters
 1792 required; insurers' responsibility.—

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1793 (1) An insurer may ~~shall~~ not knowingly refer any claim or
 1794 loss for adjustment in this state to any person purporting to be
 1795 or acting as an independent adjuster unless the person is
 1796 currently licensed as an all-lines adjuster and appointed as an
 1797 independent adjuster under this code.

1798 (2) Before referring any claim or loss, the insurer shall
 1799 ascertain from the department whether the proposed independent
 1800 adjuster is currently licensed as an all-lines adjuster and
 1801 appointed as an independent adjuster ~~such~~. Having ~~once~~
 1802 ascertained that a particular person is so licensed and
 1803 appointed, the insurer may assume that he or she will continue
 1804 to be so licensed and appointed until the insurer has knowledge,
 1805 or receives information from the department, to the contrary.

1806 (3) This section does not apply to catastrophe or
 1807 emergency adjusters as provided ~~for~~ in this part.

1808 Section 34. Section 626.864, Florida Statutes, is amended
 1809 to read:

1810 626.864 Adjuster license types.-

1811 (1) A qualified individual may be licensed ~~and appointed~~
 1812 as ~~either~~:

1813 (a) A public adjuster; or

1814 (b) An all-lines independent adjuster; ~~or~~

1815 ~~(c) A company employee adjuster.~~

1816 (2) The same individual may ~~shall~~ not be concurrently
 1817 licensed ~~appointed~~ as a public adjuster and an all-lines
 1818 adjuster ~~to more than one of the adjuster types referred to in~~
 1819 ~~subsection (1).~~

1820 (3) An all-lines adjuster may be appointed as an

1821 independent adjuster or company employee adjuster, but not both
 1822 concurrently.

1823 Section 35. Paragraph (e) is added to subsection (1) of
 1824 section 626.865, Florida Statutes, to read:

1825 626.865 Public adjuster's qualifications, bond.—

1826 (1) The department shall issue a license to an applicant
 1827 for a public adjuster's license upon determining that the
 1828 applicant has paid the applicable fees specified in s. 624.501
 1829 and possesses the following qualifications:

1830 (e) Is licensed as a public adjuster apprentice under s.
 1831 626.8651 and complies with the requirements of that license
 1832 throughout the licensure period.

1833 Section 36. Section 626.866, Florida Statutes, is amended
 1834 to read:

1835 626.866 All-lines adjuster ~~Independent adjuster's~~
 1836 ~~qualifications.—The department shall issue a license to an~~
 1837 ~~applicant for an~~ all-lines adjuster ~~independent adjuster's~~
 1838 ~~license to an applicant~~ upon determining that the applicable
 1839 license fee specified in s. 624.501 has been paid and that the
 1840 applicant possesses the following qualifications:

1841 (1) Is a natural person at least 18 years of age.

1842 (2) Is a United States citizen or legal alien who
 1843 possesses work authorization from the United States Bureau of
 1844 Citizenship and Immigration Services and a bona fide resident of
 1845 this state.

1846 (3) Is trustworthy and has such business reputation as
 1847 would reasonably assure that the applicant will conduct his or
 1848 her business as insurance adjuster fairly and in good faith and

1849 without detriment to the public.

1850 (4) Has had sufficient experience, training, or
 1851 instruction concerning the adjusting of damage or loss under
 1852 insurance contracts, other than life and annuity contracts, is
 1853 sufficiently informed as to the terms and the effects of the
 1854 provisions of such types of contracts, and possesses adequate
 1855 knowledge of the insurance laws of this state relating to such
 1856 contracts as to enable and qualify him or her to engage in the
 1857 business of insurance adjuster fairly and without injury to the
 1858 public or any member thereof with whom he or she may have
 1859 relations as an insurance adjuster and to adjust all claims in
 1860 accordance with the policy or contract and the insurance laws of
 1861 this state.

1862 (5) Has passed any required written examination or has met
 1863 one of the exemptions prescribed under s. 626.221.

1864 Section 37. Section 626.867, Florida Statutes, is
 1865 repealed.

1866 Section 38. Section 626.869, Florida Statutes, is amended
 1867 to read:

1868 626.869 License, adjusters; continuing education.—

1869 (1) Having An applicant for a license as an all-lines
 1870 adjuster qualifies the licensee to adjust ~~may qualify and his or~~
 1871 ~~her license when issued may cover adjusting in any one of the~~
 1872 ~~following classes of insurance:~~

- 1873 ~~(a) all lines of insurance except life and annuities.~~
- 1874 ~~(b) Motor vehicle physical damage insurance.~~
- 1875 ~~(c) Property and casualty insurance.~~
- 1876 ~~(d) Workers' compensation insurance.~~

1877 ~~(c) Health insurance.~~

1878
 1879 ~~No examination on workers' compensation insurance or health~~
 1880 ~~insurance shall be required for public adjusters.~~

1881 (2) All individuals who on October 1, 1990, hold an
 1882 adjuster's license and appointment limited to fire and allied
 1883 lines, including marine or casualty or boiler and machinery, may
 1884 remain licensed and appointed under the limited license and may
 1885 renew their appointment, but a ~~ne~~ license or appointment that
 1886 ~~which~~ has been terminated, not renewed, suspended, or revoked
 1887 may not shall be reinstated, and ~~ne~~ new or additional licenses
 1888 or appointments may not shall be issued.

1889 (3) All individuals who on October 1, 2012, hold an
 1890 adjuster's license and appointment limited to motor vehicle
 1891 physical damage and mechanical breakdown, property and casualty,
 1892 workers' compensation, or health insurance may remain licensed
 1893 and appointed under such limited license and may renew their
 1894 appointment, but a license that has been terminated, suspended,
 1895 or revoked may not be reinstated, and new or additional licenses
 1896 may not be issued. The applicant's application for license shall
 1897 ~~specify which of the foregoing classes of business the~~
 1898 ~~application for license is to cover.~~

1899 (4)(a) ~~An~~ Any individual holding a license as a public
 1900 adjuster or an all-lines a company employee adjuster must
 1901 complete all continuing education requirements as specified in
 1902 s. 626.2815. or independent adjuster for 24 consecutive months
 1903 ~~or longer must, beginning in his or her birth month and every 2~~
 1904 ~~years thereafter, have completed 24 hours of courses, 2 hours of~~

1905 ~~which relate to ethics, in subjects designed to inform the~~
 1906 ~~licensee regarding the current insurance laws of this state, so~~
 1907 ~~as to enable him or her to engage in business as an insurance~~
 1908 ~~adjuster fairly and without injury to the public and to adjust~~
 1909 ~~all claims in accordance with the policy or contract and the~~
 1910 ~~laws of this state.~~

1911 ~~(b) Any individual holding a license as a public adjuster~~
 1912 ~~for 24 consecutive months or longer, beginning in his or her~~
 1913 ~~birth month and every 2 years thereafter, must have completed 24~~
 1914 ~~hours of courses, 2 hours of which relate to ethics, in subjects~~
 1915 ~~designed to inform the licensee regarding the current laws of~~
 1916 ~~this state pertaining to all lines of insurance other than life~~
 1917 ~~and annuities, the current laws of this state pertaining to the~~
 1918 ~~duties and responsibilities of public adjusters as set forth in~~
 1919 ~~this part, and the current rules of the department applicable to~~
 1920 ~~public adjusters and standard or representative policy forms~~
 1921 ~~used by insurers, other than forms for life insurance and~~
 1922 ~~annuities, so as to enable him or her to engage in business as~~
 1923 ~~an adjuster fairly and without injury to the public and to~~
 1924 ~~adjust all claims in accordance with the policy or contract and~~
 1925 ~~laws of this state. In order to receive credit for continuing~~
 1926 ~~education courses, public adjusters must take courses that are~~
 1927 ~~specifically designed for public adjusters and approved by the~~
 1928 ~~department, provided, however, no continuing education course~~
 1929 ~~shall be required for public adjusters for workers' compensation~~
 1930 ~~insurance or health insurance.~~

1931 ~~(c) The department shall adopt rules necessary to~~
 1932 ~~implement and administer the continuing education requirements~~

1933 ~~of this subsection. For good cause shown, the department may~~
 1934 ~~grant an extension of time during which the requirements imposed~~
 1935 ~~by this section may be completed, but such extension of time may~~
 1936 ~~not exceed 1 year.~~

1937 ~~(d) A nonresident public adjuster must complete the~~
 1938 ~~continuing education requirements provided by this section;~~
 1939 ~~provided, a nonresident public adjuster may meet the~~
 1940 ~~requirements of this section if the continuing education~~
 1941 ~~requirements of the nonresident public adjuster's home state are~~
 1942 ~~determined to be substantially comparable to the requirements of~~
 1943 ~~this state's continuing education requirements and if the~~
 1944 ~~resident's state recognizes reciprocity with this state's~~
 1945 ~~continuing education requirements. A nonresident public adjuster~~
 1946 ~~whose home state does not have such continuing education~~
 1947 ~~requirements for adjusters, and who is not licensed as a~~
 1948 ~~nonresident adjuster in a state that has continuing education~~
 1949 ~~requirements and reciprocates with this state, must meet the~~
 1950 ~~continuing education requirements of this section.~~

1951 (5) The regulation of continuing education for licensees,
 1952 course providers, instructors, school officials, and monitor
 1953 groups shall be as provided ~~for~~ in s. 626.2816.

1954 Section 39. Paragraph (c) of subsection (2) of section
 1955 626.8697, Florida Statutes, is amended to read:

1956 626.8697 Grounds for refusal, suspension, or revocation of
 1957 adjusting firm license.—

1958 (2) The department may, in its discretion, deny, suspend,
 1959 revoke, or refuse to continue the license of any adjusting firm
 1960 if it finds that any of the following applicable grounds exist

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1961 with respect to the firm or any owner, partner, manager,
 1962 director, officer, or other person who is otherwise involved in
 1963 the operation of the firm:

1964 (c) Violation of an ~~any~~ order or rule of the department,
 1965 office, or commission.

1966 Section 40. Subsections (1) and (5) of section 626.872,
 1967 Florida Statutes, are amended to read:

1968 626.872 Temporary license.—

1969 (1) The department may, ~~in its discretion,~~ issue a
 1970 temporary license as an all-lines independent adjuster ~~or as a~~
 1971 ~~company employee adjuster,~~ subject to the following conditions:

1972 (a) The applicant must be an employee of an adjuster
 1973 currently licensed by the department, ~~an employee of an~~
 1974 authorized insurer, or ~~an employee of an~~ established adjusting
 1975 firm or corporation who ~~which~~ is supervised by a currently
 1976 licensed all-lines independent adjuster.

1977 ~~(b) The application must be accompanied by a certificate~~
 1978 ~~of employment and a report as to the applicant's integrity and~~
 1979 ~~moral character on a form prescribed by the department and~~
 1980 ~~executed by the employer.~~

1981 ~~(b)(e)~~ The applicant must be a natural person of at least
 1982 18 years of age, ~~must be~~ a bona fide resident of this state,
 1983 ~~must be~~ trustworthy, and ~~must~~ have a such business reputation
 1984 that ~~as~~ would reasonably ensure ~~assure~~ that the applicant will
 1985 conduct his or her business as an adjuster fairly and in good
 1986 faith and without detriment to the public.

1987 ~~(c)(d)~~ The applicant's employer is responsible for the
 1988 adjustment acts of the temporary ~~any~~ licensee ~~under this~~

1989 | ~~section.~~

1990 | (d)~~(e)~~ The applicable license fee ~~specified~~ must be paid
1991 | before issuance of the temporary license.

1992 | (e)~~(f)~~ The temporary license is ~~shall be~~ effective for a
1993 | ~~period of~~ 1 year, but is subject to earlier termination at the
1994 | request of the employer, ~~or~~ if the licensee fails to take an
1995 | examination as an all-lines independent adjuster ~~or company~~
1996 | ~~employee adjuster~~ within 6 months after issuance of the
1997 | temporary license, or if the temporary license is suspended or
1998 | revoked by the department.

1999 | (5) The department may ~~shall~~ not issue a temporary license
2000 | as an all-lines independent adjuster ~~or as a company employee~~
2001 | ~~adjuster~~ to an any individual who has ~~ever~~ held such a license
2002 | in this state.

2003 | Section 41. Section 626.873, Florida Statutes, is
2004 | repealed.

2005 | Section 42. Section 626.8734, Florida Statutes, is amended
2006 | to read:

2007 | 626.8734 Nonresident all-lines adjuster license
2008 | ~~independent adjuster's~~ qualifications.—

2009 | (1) The department shall, ~~upon application therefor,~~ issue
2010 | a license to an applicant for a nonresident all-lines adjuster
2011 | ~~independent adjuster's~~ license upon determining that the
2012 | applicant has paid the applicable license fees required under s.
2013 | 624.501 and:

2014 | (a) Is a natural person at least 18 years of age.

2015 | (b) Has passed to the satisfaction of the department a
2016 | written Florida all-lines adjuster independent adjuster's

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2017 examination of the scope prescribed in s. 626.241(6); however,
 2018 the requirement for the examination does not apply to ~~any of the~~
 2019 ~~following:~~

2020 1. An applicant who is licensed as an all-lines ~~a resident~~
 2021 ~~independent~~ adjuster in his or her home state ~~if of residence~~
 2022 ~~when that state has entered into~~ requires the passing of a
 2023 ~~written examination in order to obtain the license and a~~
 2024 reciprocal agreement with the ~~appropriate official of that state~~
 2025 ~~has been entered into by the~~ department; or

2026 2. An applicant who is licensed as a nonresident all-lines
 2027 ~~independent~~ adjuster in a state other than his or her home state
 2028 ~~of residence when the state of licensure requires the passing of~~
 2029 ~~a written examination in order to obtain the license and a~~
 2030 reciprocal agreement with the appropriate official of the state
 2031 of licensure has been entered into with ~~by~~ the department.

2032 (c) Is licensed as an all-lines adjuster and is self-
 2033 appointed or appointed and employed by an independent adjusting
 2034 firm or other independent adjuster, or is an employee of an
 2035 insurer admitted to do business in this state or other insurers
 2036 under the common control or ownership of such insurer ~~self-~~
 2037 ~~employed or associated with or employed by an independent~~
 2038 ~~adjusting firm or other independent adjuster.~~ Applicants
 2039 licensed as nonresident all-lines ~~independent~~ adjusters under
 2040 this section must be appointed as an independent adjuster or
 2041 company employee adjuster ~~such~~ in accordance with the provisions
 2042 ~~of~~ ss. 626.112 and 626.451. Appointment fees as ~~in the amount~~
 2043 specified in s. 624.501 must be paid to the department in
 2044 advance. The appointment of a nonresident independent adjuster

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2045 continues ~~shall continue~~ in force until suspended, revoked, or
 2046 otherwise terminated, but is subject to biennial renewal or
 2047 continuation by the licensee in accordance with ~~procedures~~
 2048 ~~prescribed in~~ s. 626.381 for licensees in general.

2049 (d) Is trustworthy and has such business reputation as
 2050 would reasonably ensure ~~assure~~ that he or she will conduct his
 2051 or her business as a nonresident all-lines ~~independent~~ adjuster
 2052 fairly and in good faith and without detriment to the public.

2053 (e) Has had sufficient experience, training, or
 2054 instruction concerning the adjusting of damages or losses under
 2055 insurance contracts, other than life and annuity contracts; is
 2056 sufficiently informed as to the terms and effects of ~~the~~
 2057 ~~provisions of~~ those types of insurance contracts; and possesses
 2058 adequate knowledge of the laws of this state relating to such
 2059 contracts as to enable and qualify him or her to engage in the
 2060 business of insurance adjuster fairly and without injury to the
 2061 public or any member thereof with whom he or she may have
 2062 business as an all-lines ~~independent~~ adjuster.

2063 (2) The applicant must ~~shall~~ furnish the following with
 2064 his or her application:

2065 (a) A complete set of his or her fingerprints. The
 2066 applicant's fingerprints must be certified by an authorized law
 2067 enforcement officer.

2068 (b) If currently licensed as an all-lines ~~a resident~~
 2069 ~~independent~~ adjuster in the applicant's home state ~~of residence~~,
 2070 a certificate or letter of authorization from the licensing
 2071 authority of the applicant's home state ~~of residence~~, stating
 2072 that the applicant holds a current license to act as an all-

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2073 lines independent adjuster. The ~~Such~~ certificate or letter of
2074 authorization must be signed by the insurance commissioner, or
2075 his or her deputy or the appropriate licensing official, and
2076 must disclose whether the adjuster has ever had a ~~any~~ license or
2077 eligibility to hold any license declined, denied, suspended,
2078 revoked, or placed on probation or whether an administrative
2079 fine or penalty has been levied against the adjuster and, if so,
2080 the reason for the action. Such certificate or letter is not
2081 required if the nonresident applicant's licensing status can be
2082 verified through the Producer Database maintained by the
2083 National Association of Insurance Commissioners, its affiliates,
2084 or subsidiaries.

2085 (c) If the applicant's home state ~~of residence~~ does not
2086 require licensure as an all-lines independent adjuster and the
2087 applicant has been licensed as a resident insurance adjuster,
2088 agent, broker, or other insurance representative in his or her
2089 home state ~~of residence~~ or any other state within the past 3
2090 years, a certificate or letter of authorization from the
2091 licensing authority stating that the applicant holds or has held
2092 a license to act as an insurance adjuster, agent, or other
2093 insurance representative. The certificate or letter of
2094 authorization must be signed by the insurance commissioner, or
2095 his or her deputy or the appropriate licensing official, and
2096 must disclose whether the adjuster, agent, or other insurance
2097 representative has ever had a ~~any~~ license or eligibility to hold
2098 any license declined, denied, suspended, revoked, or placed on
2099 probation or whether an administrative fine or penalty has been
2100 levied against the adjuster and, if so, the reason for the

2101 | action. Such certificate or letter is not required if the
 2102 | nonresident applicant's licensing status can be verified through
 2103 | the Producer Database maintained by the National Association of
 2104 | Insurance Commissioners, its affiliates, or subsidiaries.

2105 | (3) The usual and customary records pertaining to
 2106 | transactions under the license of a nonresident all-lines
 2107 | ~~independent~~ adjuster must be retained for at least 3 years after
 2108 | completion of the adjustment and ~~must~~ be made available in this
 2109 | state to the department upon request. The failure of a
 2110 | nonresident all-lines ~~independent~~ adjuster to properly maintain
 2111 | records and make them available to the department upon request
 2112 | constitutes grounds for the immediate suspension of the license
 2113 | issued under this section.

2114 | (4) ~~After licensure as a nonresident independent adjuster,~~
 2115 | As a condition of doing business in this state as a nonresident
 2116 | independent adjuster, the appointee must ~~licensee must~~ annually
 2117 | ~~on or before January 1, on a form prescribed by the department,~~
 2118 | submit an affidavit to the department certifying that the
 2119 | licensee is familiar with and understands the insurance laws and
 2120 | administrative rules of this state and the provisions of the
 2121 | contracts negotiated or to be negotiated. Compliance with this
 2122 | filing requirement is a condition precedent to the issuance,
 2123 | continuation, reinstatement, or renewal of a nonresident
 2124 | independent adjuster's appointment.

2125 | Section 43. Section 626.8736, Florida Statutes, is amended
 2126 | to read:

2127 | 626.8736 Nonresident independent or public adjusters;
 2128 | service of process.—

2129 (1) Each licensed nonresident ~~independent or~~ public
 2130 adjuster or all-lines adjuster appointed as an independent
 2131 adjuster shall appoint the Chief Financial Officer and his or
 2132 her successors in office as his or her attorney to receive
 2133 service of legal process issued against such ~~the nonresident~~
 2134 ~~independent or public~~ adjuster in this state, upon causes of
 2135 action arising within this state out of transactions under his
 2136 license and appointment. Service upon the Chief Financial
 2137 Officer as attorney constitutes ~~shall constitute~~ effective legal
 2138 service upon the nonresident independent or public adjuster.

2139 (2) The appointment of the Chief Financial Officer for
 2140 service of process is ~~shall be~~ irrevocable ~~for~~ as long as there
 2141 could be any cause of action against the nonresident ~~independent~~
 2142 ~~or~~ public adjuster or all-lines adjuster appointed as an
 2143 independent adjuster arising out of his or her insurance
 2144 transactions in this state.

2145 (3) Duplicate copies of legal process against the
 2146 nonresident ~~independent or~~ public adjuster or all-lines adjuster
 2147 appointed as an independent adjuster shall be served upon the
 2148 Chief Financial Officer by a person competent to serve a
 2149 summons.

2150 (4) Upon receiving the service, the Chief Financial
 2151 Officer shall ~~forthwith~~ send one of the copies of the process,
 2152 by registered mail with return receipt requested, to the
 2153 defendant nonresident ~~independent or~~ public adjuster or all-
 2154 lines adjuster appointed as an independent adjuster at his or
 2155 her last address of record with the department.

2156 (5) The Chief Financial Officer shall keep a record of the

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2157 day and hour of service upon him or her of all legal process
 2158 received under this section.

2159 Section 44. Subsection (1) of section 626.874, Florida
 2160 Statutes, is amended to read:

2161 626.874 Catastrophe or emergency adjusters.—

2162 (1) In the event of a catastrophe or emergency, the
 2163 department may issue a license, for the purposes and under the
 2164 conditions ~~which it shall fix~~ and for the period of emergency as
 2165 it shall determine, to persons who are residents or nonresidents
 2166 of this state, who are at least 18 years of age, who are United
 2167 States citizens or legal aliens who possess work authorization
 2168 from the United States Bureau of Citizenship and Immigration
 2169 Services, and who are not licensed adjusters under this part but
 2170 who have been designated and certified to it as qualified to act
 2171 as adjusters by all-lines independent resident adjusters, ~~or~~ by
 2172 an authorized insurer, or by a licensed general lines agent to
 2173 adjust claims, losses, or damages under policies or contracts of
 2174 insurance issued by such insurers. The fee for the license is
 2175 ~~shall be~~ as provided in s. 624.501(12)(c).

2176 Section 45. Subsection (1) of section 626.875, Florida
 2177 Statutes, is amended to read:

2178 626.875 Office and records.—

2179 (1) Each appointed ~~Every licensed~~ independent adjuster and
 2180 ~~every licensed public adjuster~~ must ~~shall have and~~ maintain ~~in~~
 2181 ~~this state~~ a place of business in this state which is accessible
 2182 to the public and keep therein the usual and customary records
 2183 pertaining to transactions under the license. This provision
 2184 does ~~shall not be deemed to~~ prohibit maintenance of such an

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2185 office in the home of the licensee.

2186 Section 46. Section 626.876, Florida Statutes, is amended
2187 to read:

2188 626.876 Exclusive employment; public adjusters,
2189 independent adjusters.—

2190 (1) An ~~No~~ individual licensed and appointed as a public
2191 adjuster may not ~~shall~~ be ~~so~~ employed during the same period by
2192 more than one public adjuster or public adjuster firm or
2193 corporation.

2194 (2) An ~~No~~ individual licensed as an all-lines adjuster and
2195 appointed as an independent adjuster may not ~~shall~~ be ~~so~~
2196 employed during the same period by more than one independent
2197 adjuster or independent adjuster firm or corporation.

2198 Section 47. Subsections (5), (6), and (7) of section
2199 626.927, Florida Statutes, are amended to read:

2200 626.927 Licensing of surplus lines agent.—

2201 ~~(5) The applicant must file and thereafter maintain the~~
2202 ~~bond as required under s. 626.928.~~

2203 ~~(5)(6)~~ Examinations as to surplus lines, as required under
2204 subsections (1) and (2), are ~~shall be~~ subject to the provisions
2205 of part I as applicable to applicants for licenses in general.
2206 ~~No such examination shall be required as to persons who held a~~
2207 ~~Florida surplus lines agent's license as of January 1, 1959,~~
2208 ~~except when examinations subsequent to issuance of an initial~~
2209 ~~license are provided for in general under part I.~~

2210 ~~(6)(7)~~ An ~~Any~~ individual who has been licensed by the
2211 department as a surplus lines agent as provided in this section
2212 may be subsequently appointed without additional written

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2213 examination if his or her application for appointment is filed
 2214 with the department within 48 months after ~~next following~~ the
 2215 date of cancellation or expiration of the prior appointment. The
 2216 department may, ~~in its discretion,~~ require an ~~any~~ individual to
 2217 take and successfully pass an examination as for original
 2218 issuance of license as a condition precedent to the
 2219 reinstatement or continuation of the licensee's current license
 2220 or reinstatement or continuation of the licensee's appointment.

2221 Section 48. Section 626.928, Florida Statutes, is
 2222 repealed.

2223 Section 49. Section 626.933, Florida Statutes, is amended
 2224 to read:

2225 626.933 Collection of tax and service fee.—If the tax or
 2226 service fee payable by a surplus lines agent under the ~~this~~
 2227 Surplus Lines Law is not so paid within the time prescribed, it
 2228 ~~the same~~ shall be recoverable in a suit brought by the
 2229 department against the surplus lines agent ~~and the surety or~~
 2230 ~~sureties on the bond filed by the surplus lines agent under s.~~
 2231 ~~626.928~~. The department may authorize the Florida Surplus Lines
 2232 Service Office to file suit on its behalf. All costs and
 2233 expenses incurred in a suit brought by the office which are not
 2234 recoverable from the agent or surety shall be borne by the
 2235 office.

2236 Section 50. Subsection (1) of section 626.935, Florida
 2237 Statutes, is amended to read:

2238 626.935 Suspension, revocation, or refusal of surplus
 2239 lines agent's license.—

2240 (1) The department shall deny an application for, suspend,

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2241 | revoke, or refuse to renew the appointment of a surplus lines
 2242 | agent and all other licenses and appointments held by the
 2243 | licensee under this code, on ~~upon~~ any of the following grounds:

2244 | (a) Removal of the licensee's office from the licensee's
 2245 | state of residence.

2246 | (b) Removal of the accounts and records of his or her
 2247 | surplus lines business from this state or the licensee's state
 2248 | of residence during the period when such accounts and records
 2249 | are required to be maintained under s. 626.930.

2250 | (c) Closure of the licensee's office for ~~a period of~~ more
 2251 | than 30 consecutive days.

2252 | (d) Failure to make and file his or her affidavit or
 2253 | reports when due as required by s. 626.931.

2254 | (e) Failure to pay the tax or service fee on surplus lines
 2255 | premiums, as provided ~~for~~ in the ~~this~~ Surplus Lines Law.

2256 | ~~(f) Failure to maintain the bond as required by s.~~
 2257 | ~~626.928.~~

2258 | (f) ~~(g)~~ Suspension, revocation, or refusal to renew or
 2259 | continue the license or appointment as a general lines agent,
 2260 | service representative, or managing general agent.

2261 | (g) ~~(h)~~ Lack of qualifications as for an original surplus
 2262 | lines agent's license.

2263 | (h) ~~(i)~~ Violation of this Surplus Lines Law.

2264 | (i) ~~(j)~~ For any other applicable cause for which the
 2265 | license of a general lines agent could be suspended, revoked, or
 2266 | refused under s. 626.611 or s. 626.621.

2267 | Section 51. Paragraph (b) of subsection (1) of section
 2268 | 627.952, Florida Statutes, is amended to read:

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2269 | 627.952 Risk retention and purchasing group agents.-

2270 | (1) Any person offering, soliciting, selling, purchasing,
 2271 | administering, or otherwise servicing insurance contracts,
 2272 | certificates, or agreements for any purchasing group or risk
 2273 | retention group to any resident of this state, either directly
 2274 | or indirectly, by the use of mail, advertising, or other means
 2275 | of communication, shall obtain a license and appointment to act
 2276 | as a resident general lines agent, if a resident of this state,
 2277 | or a nonresident general lines agent if not a resident. Any such
 2278 | person shall be subject to all requirements of the Florida
 2279 | Insurance Code.

2280 | (b) Any person required to be licensed and appointed under
 2281 | ~~by~~ this subsection, in order to place business through Florida
 2282 | eligible surplus lines carriers, must ~~shall~~, if a resident of
 2283 | this state, be licensed and appointed as a surplus lines agent.
 2284 | ~~Any such person,~~ If not a resident of this state, such person
 2285 | must ~~shall~~ be licensed and appointed as a surplus lines agent in
 2286 | her or his state of residence and ~~shall~~ file and ~~thereafter~~
 2287 | maintain a fidelity bond in favor of the people of the State of
 2288 | Florida executed by a surety company admitted in this state and
 2289 | payable to the State of Florida; ~~provided,~~ however, ~~any~~
 2290 | ~~activities carried out by~~ such nonresident is ~~pursuant to this~~
 2291 | ~~part shall be~~ limited to the provision of insurance for
 2292 | purchasing groups. The bond must ~~shall~~ be continuous in form and
 2293 | ~~maintained~~ in the amount of not less than \$50,000, aggregate
 2294 | liability set out in s. 626.928. The bond must ~~shall~~ remain in
 2295 | force and effect until the surety is released from liability by
 2296 | the department or until the bond is canceled by the surety. The

2297 surety may cancel the bond and be released from further
 2298 liability ~~thereunder~~ upon 30 days' prior written notice to the
 2299 department. The cancellation does ~~shall~~ not affect any liability
 2300 incurred or accrued ~~thereunder~~ before the termination of the 30-
 2301 day period. Upon receipt of a notice of cancellation, the
 2302 department shall immediately notify the agent.

2303 Section 52. Subsections (1) and (2) of section 635.051,
 2304 Florida Statutes, are amended to read:

2305 635.051 Licensing and appointment of mortgage guaranty
 2306 insurance agents.—

2307 (1) Effective October 1, 2012, a person may not transact
 2308 mortgage guaranty insurance unless licensed and appointed as a
 2309 credit insurance agent in accordance with the applicable
 2310 provisions of the insurance code. Mortgage guaranty licenses
 2311 held by persons on October 1, 2012, shall be transferred to a
 2312 credit insurance agent license. Persons who wish to obtain a new
 2313 license identification card that reflects this change must
 2314 submit the \$5 fee as prescribed in s. 624.501(15). ~~Agents of~~
 2315 ~~mortgage guaranty insurers shall be licensed and appointed and~~
 2316 ~~shall be subject to the same qualifications and requirements~~
 2317 ~~applicable to general lines agents under the laws of this state,~~
 2318 ~~except that:~~

2319 ~~(a) Particular preliminary specialized education or~~
 2320 ~~training is not required of an applicant for such an agent's~~
 2321 ~~license, and continuing education is not required for renewal of~~
 2322 ~~the agent's appointment if, as part of the application for~~
 2323 ~~license and appointment, the insurer guarantees that the~~
 2324 ~~applicant will receive the necessary training to enable him or~~

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2325 ~~her properly to hold himself or herself out to the public as a~~
 2326 ~~mortgage guaranty insurance agent and if the department, in its~~
 2327 ~~discretion, accepts such guaranty;~~

2328 ~~(b) The agent's license and appointment shall be a limited~~
 2329 ~~license, limited to the handling of mortgage guaranty insurance~~
 2330 ~~only; and~~

2331 ~~(c) An examination may be required of an applicant for~~
 2332 ~~such a license if the insurer fails to provide the guaranty~~
 2333 ~~described in paragraph (a).~~

2334 (2) Any general lines agent licensed under chapter 626 is
 2335 qualified to represent a mortgage guaranty insurer without
 2336 additional licensure examination.

2337 Section 53. Subsection (2) of section 648.38, Florida
 2338 Statutes, is amended to read:

2339 648.38 Licensure examination for bail bond agents; time;
 2340 place; fees; scope.—

2341 (2) The department or a person designated by the
 2342 department shall provide ~~mail-written~~ notice of the time and
 2343 place of the examination to each applicant for licensure
 2344 required to take an examination who will be eligible to take the
 2345 examination as of the examination date. The notice shall be e-
 2346 mailed ~~so mailed, postage prepaid, and addressed to the~~
 2347 applicant at the e-mail ~~his or her~~ address shown on his or her
 2348 application for licensure ~~or at such other address as requested~~
 2349 ~~by the applicant in writing filed with the department prior to~~
 2350 ~~the mailing of the notice.~~ Notice shall be deemed given when so
 2351 mailed.

2352 Section 54. Section 648.385, Florida Statutes, is amended

2353 to read:

2354 648.385 Continuing education required; application;
 2355 exceptions; requirements; penalties.-

2356 (1) The purpose of this section is to establish
 2357 requirements and standards for continuing education courses for
 2358 persons authorized to write bail bonds in this state.

2359 ~~(2)(a) Each person subject to the provisions of this~~
 2360 ~~chapter must complete a minimum of 14 hours of continuing~~
 2361 ~~education courses every 2 years as specified in s. 626.2815 in~~
 2362 ~~courses approved by the department. Compliance with continuing~~
 2363 ~~education requirements is a condition precedent to the issuance,~~
 2364 ~~continuation, or renewal of any appointment subject to the~~
 2365 ~~provisions of this chapter.~~

2366 ~~(b) A person teaching any approved course of instruction~~
 2367 ~~or lecturing at any approved seminar and attending the entire~~
 2368 ~~course or seminar shall qualify for the same number of classroom~~
 2369 ~~hours as would be granted to a person taking and successfully~~
 2370 ~~completing such course, seminar, or program. Credit shall be~~
 2371 ~~limited to the number of hours actually taught unless a person~~
 2372 ~~attends the entire course or seminar.~~

2373 ~~(c) For good cause shown, the department may grant an~~
 2374 ~~extension of time during which the requirements imposed by this~~
 2375 ~~section may be completed, but such extension of time may not~~
 2376 ~~exceed 1 year.~~

2377 ~~(3)(a) Any bail-related course developed or sponsored by~~
 2378 ~~any authorized insurer or recognized bail bond agents'~~
 2379 ~~association, or any independent study program of instruction,~~
 2380 ~~subject to approval by the department, qualifies for the~~

2381 ~~equivalency of the number of classroom hours assigned to such~~
 2382 ~~course by the department. However, unless otherwise provided in~~
 2383 ~~this section, continuing education credit may not be credited~~
 2384 ~~toward meeting the requirements of this section unless the~~
 2385 ~~course is provided by classroom instruction or results in a~~
 2386 ~~monitored examination.~~

2387 ~~(b) Each person or entity sponsoring a course for~~
 2388 ~~continuing education credit must furnish, within 30 days after~~
 2389 ~~completion of the course, in a form satisfactory to the~~
 2390 ~~department or its designee, a written and certified roster~~
 2391 ~~showing the name and license number of all persons successfully~~
 2392 ~~completing such course and requesting credit, accompanied by the~~
 2393 ~~required fee. The department shall refuse to issue, continue, or~~
 2394 ~~renew the appointment of any bail bond agent who has not had the~~
 2395 ~~continuing education requirements certified unless the agent has~~
 2396 ~~been granted an extension by the department.~~

2397 Section 55. Subsection (1) of section 903.27, Florida
 2398 Statutes, is amended to read:

2399 903.27 Forfeiture to judgment.—

2400 (1) If the forfeiture is not paid or discharged by court
 2401 ~~order of a court of competent jurisdiction~~ within 60 days and
 2402 the bond is secured other than by money and bonds authorized
 2403 under ~~in~~ s. 903.16, the clerk of the circuit court for the
 2404 county where the order was made shall enter a judgment against
 2405 the surety for the amount of the penalty and issue execution.
 2406 However, if ~~in any case in which~~ the bond forfeiture has been
 2407 discharged by the court ~~of competent jurisdiction~~ conditioned
 2408 upon the payment by the surety of certain costs or fees as

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2409 | allowed by statute, the amount for which judgment may be entered
 2410 | may not exceed the amount of the unpaid fees or costs upon which
 2411 | the discharge had been conditioned. Judgment for the full amount
 2412 | of the forfeiture may ~~shall~~ not be entered if payment of a
 2413 | lesser amount will satisfy the conditions to discharge the
 2414 | forfeiture. Within 10 days, the clerk shall furnish the
 2415 | ~~Department of Financial Services and the Office of Insurance~~
 2416 | ~~Regulation of the Financial Services Commission with a certified~~
 2417 | ~~copy of the judgment docket and shall furnish the~~ surety company
 2418 | ~~at its home office~~ a copy of the judgment at its home office,
 2419 | which includes ~~shall include~~ the power of attorney number of the
 2420 | bond and the name of the executing agent. If the judgment is not
 2421 | paid within 60 ~~35~~ days, the clerk shall furnish ~~the Department~~
 2422 | ~~of Financial Services,~~ the Office of Insurance Regulation, and
 2423 | the sheriff of the county in which the bond was executed, or the
 2424 | official responsible for operation of the county jail, if other
 2425 | than the sheriff, two certified copies of the transcript of the
 2426 | docket of the judgment and a certificate stating that the
 2427 | judgment remains unsatisfied. ~~When and~~ If the judgment is
 2428 | properly paid or a court ~~an~~ order to vacate the judgment has
 2429 | been entered ~~by a court of competent jurisdiction~~, the clerk
 2430 | shall immediately notify the sheriff, or the official
 2431 | responsible for the operation of the county jail, if other than
 2432 | the sheriff, ~~and the Department of Financial Services and the~~
 2433 | Office of Insurance Regulation, if the ~~department and~~ office had
 2434 | been previously notified of nonpayment, of such payment or order
 2435 | to vacate the judgment. The clerk shall also immediately prepare
 2436 | and record in the public records a satisfaction of the judgment

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2437 | or record the order to vacate judgment. If the defendant is
2438 | returned to the county of jurisdiction of the court and~~,~~
2439 | ~~whenever~~ a motion to set aside the judgment is filed, the
2440 | operation of this section is tolled until the court makes a
2441 | disposition of the motion.

2442 | Section 56. Except as otherwise expressly provided in this
2443 | act, this act shall take effect October 1, 2012.