

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 | creating s. 626.8548, F.S.; defining the term "all-

80 | lines adjuster"; amending s. 626.855, F.S.; revising

81 | the definition of "independent adjuster"; amending s.

82 | 626.856, F.S.; revising the definition of "company

83 | employee adjuster"; repealing s. 626.858, F.S.,

84 | relating to defining "nonresident company employee

85 | adjuster"; amending s. 626.8584, F.S.; revising the
86 | definition of "nonresident all-lines adjuster";
87 | amending s. 626.863, F.S.; conforming provisions to
88 | changes made by the act relating to all-lines
89 | adjusters; amending s. 626.864, F.S.; revising
90 | provisions relating to adjuster license types;
91 | amending s. 626.865, F.S.; requiring an applicant for
92 | public adjuster to be licensed as a public adjuster
93 | apprentice; amending s. 626.866, F.S.; conforming
94 | provisions to changes made by the act relating to all-
95 | lines adjusters; repealing s. 626.867, F.S., relating
96 | to qualifications for company employee adjusters;
97 | amending s. 626.869, F.S.; revising provisions
98 | relating to an all-lines adjuster license; ceasing the
99 | issuance of certain adjuster licenses; revising
100 | continuing education requirements; amending s.
101 | 626.8697, F.S.; revising provisions relating to the
102 | violation of rules resulting in the suspension or
103 | revocation of an adjuster's license; amending s.
104 | 626.872, F.S.; conforming provisions to changes made
105 | by the act relating to all-lines adjusters; repealing
106 | s. 626.873, F.S., relating to licensure for
107 | nonresident company employee adjusters; amending s.
108 | 626.8734, F.S.; amending provisions relating to
109 | nonresident all-lines adjusters; providing for
110 | verifying an applicant's status through the National
111 | Association of Insurance Commissioners' Producer
112 | Database; amending ss. 626.8736, 626.874, 626.875, and

113 626.876, F.S.; conforming provisions to changes made
114 by the act relating to all-lines adjusters; amending
115 s. 626.927, F.S.; deleting a requirement that a
116 licensed surplus lines agent maintain a bond;
117 repealing s. 626.928, F.S., relating to a surplus
118 lines agent's bond; amending ss. 626.933, 626.935, and
119 627.952, F.S.; conforming cross-references; amending
120 s. 635.051, F.S.; requiring persons transacting
121 mortgage guaranty insurance to be licensed and
122 appointed as a credit insurance agent; amending s.
123 648.34, F.S.; requiring application information for
124 bail bond agents; amending s. 648.38, F.S.; revising
125 the notice of examination requirements for bail bond
126 agents; amending s. 648.385, F.S.; revising continuing
127 education courses for bail bond agents, to conform to
128 changes made by the act; amending s. 648.421, F.S.;

129 requiring a bail bond agent to provide notification of
130 a change in his or her e-mail address; providing
131 effective dates.

132

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

134

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

137 624.501 Filing, license, appointment, and miscellaneous
138 fees.—The department, commission, or office, as appropriate,
139 shall collect in advance, and persons so served shall pay to it
140 in advance, fees, licenses, and miscellaneous charges as

141 follows:

142 (27) Title insurance agents:

143 (e) Title insurer ~~and title insurance agency~~

144 administrative surcharge:

145 1. On or before January 30 of each calendar year, each
 146 title insurer shall pay an administrative surcharge of \$200 to
 147 the office for each licensed title insurance agency appointed by
 148 the title insurer and for each title insurer's retail office as
 149 ~~of the insurer on~~ January 1 of that calendar year ~~an~~
 150 ~~administrative surcharge of \$200.00.~~

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

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

163 624.505 County tax; determination; ~~additional offices;~~
 164 nonresident agents.—

165 (1) The county tax imposed ~~provided for~~ under s. 624.501
 166 for ~~as to~~ an agent shall be paid by each insurer for each agent
 167 only for the county where the agent resides, or if the ~~such~~
 168 agent's place of business is not located in the ~~a~~ county where

169 the agent resides ~~other than that of her or his residence~~, then
 170 for the county in which the agent's ~~wherein is located~~ such
 171 place of business is located. ~~If an agent maintains an office or~~
 172 ~~place of business in more than one county, the tax shall be paid~~
 173 ~~for her or him by each such insurer for each county wherein the~~
 174 ~~agent represents such insurer and has a place of business. If~~
 175 ~~When under this subsection an insurer is~~ paying the ~~required to~~
 176 ~~pay county tax for an agent for a county or counties~~ other than
 177 the agent's county of residence, the insurer must ~~shall~~
 178 designate the county ~~or counties~~ for which the taxes are paid.

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

181 626.015 Definitions.—As used in this part:

182 (1) "Adjuster" means a public adjuster as defined in s.
 183 626.854, a public adjuster apprentice as defined in s. 626.8541,
 184 or an all-lines adjuster as defined in s. 626.8548 ~~independent~~
 185 ~~adjuster as defined in s. 626.855, or company employee adjuster~~
 186 ~~as defined in s. 626.856.~~

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

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

194 626.0428 Agency personnel powers, duties, and
 195 limitations.—

196 (2) An ~~No~~ employee of an agent or agency may not bind

197 insurance coverage unless licensed and appointed as an ~~a general~~
 198 ~~lines~~ agent or customer representative.

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

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

205 626.171 Application for license as an agent, customer
 206 representative, adjuster, service representative, managing
 207 general agent, or reinsurance intermediary.-

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

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

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

231
 232 However, the application must contain a statement that an
 233 applicant is not required to disclose his or her race or
 234 ethnicity, gender, or native language, that he or she will not
 235 be penalized for not doing so, and that the department will use
 236 this information exclusively for research and statistical
 237 purposes and to improve the quality and fairness of the
 238 examinations.

239 Section 6. Section 626.191, Florida Statutes, is amended
 240 to read:

241 626.191 Repeated applications.—The failure of an applicant
 242 to secure a license upon ~~an~~ application does ~~shall~~ not preclude
 243 the applicant from applying again. However ~~as many times as~~
 244 ~~desired, but~~ the department may ~~shall~~ not consider ~~give~~
 245 ~~consideration to~~ or accept any further application by the same
 246 applicant individual for a similar license dated or filed within
 247 30 days after ~~subsequent to~~ the date the department denied the
 248 last application, except as provided under ~~in~~ s. 626.281.

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

251 626.221 Examination requirement; exemptions.—

252 (2) However, an ~~no such~~ examination is not ~~shall be~~

253 necessary for ~~in~~ any of the following ~~cases~~:

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

258 (b) An applicant for a limited license as agent for travel
 259 insurance, motor vehicle rental ~~personal accident insurance,~~
 260 ~~baggage and motor vehicle excess liability insurance, credit~~
 261 ~~life or disability~~ insurance, credit insurance, ~~credit property~~
 262 ~~insurance,~~ in-transit and storage personal property insurance,
 263 or portable electronics ~~communications equipment property~~
 264 ~~insurance or communication equipment inland marine insurance~~
 265 under s. 626.321.

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

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

280 (e) An applicant ~~A person~~ who has been licensed as an all-

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

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

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

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

304 ~~(h)(i)~~ An applicant for license as a general lines agent,
305 customer representative, or adjuster who has received the
306 designation of chartered property and casualty underwriter
307 (CPCU) from the American Institute for Property and Liability
308 Underwriters and ~~who~~ has been engaged in the insurance business

309 within the past 4 years, except that the applicant ~~such an~~
310 ~~individual~~ may be examined on pertinent provisions of this code.

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

337 ~~whose curriculum~~ includes comprehensive analysis of basic
338 property and casualty lines of insurance and testing at least
339 equal to that of standard department testing for the customer
340 representative license. The department shall adopt rules
341 establishing standards for the approval of curriculum.

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

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

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

363 2. Has received the designation of chartered property and
364 casualty underwriter (CPCU) from the American Institute for

365 Property and Liability Underwriters and ~~has~~ been engaged in the
 366 insurance business within the past 4 years if applying to
 367 transfer a general lines agent license; or

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

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

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

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

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

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

392 Section 8. Subsection (2) of section 626.231, Florida

393 Statutes, is amended to read:

394 626.231 Eligibility; application for examination.—

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

404 (a) His or her full name, date of birth ~~age~~, social
 405 security number, e-mail address, residence address, business
 406 address, and mailing address.

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

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

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

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

415 (f) The applicant's native language.

416 (g) The highest level of education achieved by the
 417 applicant.

418 (h) The applicant's race or ethnicity ~~(African American,~~
 419 ~~white, American Indian, Asian, Hispanic, or other)~~.

420

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

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

430 626.241 Scope of examination.—

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

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

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

446 (b) An ~~No~~ examination for workers' ~~on worker's~~
 447 compensation insurance or health insurance is not ~~shall be~~
 448 required for public adjusters.

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

451 626.251 Time and place of examination; notice.—

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

463 Section 11. Section 626.281, Florida Statutes, is amended
 464 to read:

465 626.281 Reexamination.—

466 (1) An ~~Any~~ applicant for license or ~~applicant for~~
 467 examination who has ~~either~~:

468 (a) Taken an examination and failed to make a passing
 469 grade, or

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

473
 474 may take additional examinations, after filing with the
 475 department or its designee an application for reexamination
 476 together with applicable fees. The failure of an applicant to

477 pass an examination, ~~or the failure~~ to appear for the
 478 examination, or to take or complete the examination does not
 479 preclude the applicant from taking subsequent examinations.

480 (2) Applicants may not take an examination for a license
 481 type more than five times in a 12-month period.

482 (3) ~~(2)~~ The department may require an ~~any~~ individual whose
 483 license as an agent, customer representative, or adjuster has
 484 expired or ~~has~~ been suspended to pass an examination before
 485 ~~prior to~~ reinstating or relicensing the individual as to any
 486 class of license. The examination fee must ~~shall~~ be paid for ~~as~~
 487 ~~to~~ each examination.

488 Section 12. Section 626.2815, Florida Statutes, is amended
 489 to read:

490 626.2815 Continuing education ~~required; application;~~
 491 ~~exceptions; requirements; penalties.~~

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

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

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

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

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

530 (b) A licensee ~~person~~ who has been licensed for a ~~period~~
531 ~~of~~ 6 or more years must complete 20 hours of continuing
532 education every 2 years in intermediate or advanced-level

533 | courses prescribed by this section or in other courses approved
 534 | by the department.

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

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

550 | (e) An individual ~~Any person~~ who holds a license to
 551 | solicit or sell life or health insurance and a license to
 552 | solicit or sell property, casualty, surety, or surplus lines
 553 | insurance must complete ~~the continuing education requirements by~~
 554 | ~~completing~~ courses in life or health insurance for one-half of
 555 | the total hours required and courses in property, casualty,
 556 | surety, or surplus lines insurance for one-half of the total
 557 | hours required. However, a licensee who holds an industrial fire
 558 | or burglary insurance license and who is a licensed life or
 559 | health agent must ~~shall be required to~~ complete 4 hours of
 560 | continuing education courses every 2 years related to industrial

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

564 (f) An individual subject to chapter 648 must complete a
 565 minimum of 14 hours of continuing education courses every 2
 566 years.

567 (g) Excess hours accumulated during any 2-year compliance
 568 period may be carried forward to the next compliance period.

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

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

586 (a)2.a. An appointing entity, except one that appoints
 587 individuals who are employees or exclusive independent
 588 contractors of the appointing entity, may not require, directly

589 or indirectly, as a condition of such appointment or the
 590 continuation of such appointment, the taking of an approved
 591 course or program by any appointee or potential appointee which
 592 ~~that~~ is not of the appointee's choosing.

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

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

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

616 (5)~~(i)~~ For good cause shown, the department may grant an

617 extension of time during which the requirements of ~~imposed by~~
 618 this section may be completed, but such extension ~~of time~~ may
 619 not exceed 1 year.

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

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

645 insurance or annuities during the continuing education
 646 compliance cycle in question and does not have any active life
 647 insurance or annuity contracts. A licensee may use the hours
 648 obtained under this paragraph to satisfy the requirement for
 649 continuing education in ethics under paragraph (3) (a).

650 ~~(8)-(4)~~ The following courses may be completed in order to
 651 meet the elective continuing education course requirements:

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

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

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

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

661 (e) Any part of the Certified Insurance Counselor program:
 662 21 hours.

663 (f) Any part of the Accredited Advisor in Insurance: 21
 664 hours.

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

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

671 (i) Any insurance-related course that ~~which~~ is approved by
 672 the department and taught by an accredited college or university

673 per credit hour granted: 12 hours.

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

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

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

701 sign the sworn affidavit. If the student is self-employed, a
 702 sole proprietor, or a partner, or if the examination is
 703 administered online, the sworn affidavit must also be signed by
 704 a disinterested third party. The sworn affidavit must be
 705 received by the approved provider before ~~prior to~~ reporting
 706 continuing education credits to the department.

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

714 (10) ~~(5)~~ The department may immediately terminate or shall
 715 refuse to renew the appointment of an any agent or adjuster who
 716 has been notified by the department that who has not had his or
 717 her continuing education requirements have not been certified,
 718 unless the agent or adjuster has been granted an extension or
 719 waiver by the department. The department may not issue a new
 720 appointment of the same or similar type, ~~with any insurer,~~ to a
 721 licensee ~~an agent~~ who was denied a renewal appointment for
 722 failing failure to complete continuing education as required
 723 until the licensee ~~agent~~ completes his or her continuing
 724 education requirement.

725 ~~(6) (a) There is created an 11 member continuing education~~
 726 ~~advisory board to be appointed by the Chief Financial Officer.~~
 727 ~~Appointments shall be for terms of 4 years. The purpose of the~~
 728 ~~board is to advise the department in determining standards by~~

729 ~~which courses may be evaluated and categorized as basic,~~
730 ~~intermediate, or advanced. The board shall submit~~
731 ~~recommendations to the department of changes needed in such~~
732 ~~criteria not less frequently than every 2 years. The department~~
733 ~~shall require all approved course providers to submit courses~~
734 ~~for approval to the department using the criteria. All~~
735 ~~materials, brochures, and advertisements related to the approved~~
736 ~~courses must specify the level assigned to the course.~~

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

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

757 ~~submitted by other eligible organizations.~~

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

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

769 ~~4. One member, appointed by the Chief Financial Officer,~~
770 ~~who represents the department.~~

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

776 ~~(11)-(7)~~ (11) The department may contract services relative to
777 the administration of the continuing education program to a
778 private entity. The contract shall be procured as a ~~contract for~~
779 ~~a contractual service pursuant to s. 287.057.~~

780 Section 13. Effective October 1, 2014, subsections (3) and
781 (7) of section 626.2815, Florida Statutes, as amended by this
782 act, are amended, and subsections (8) through (11) of that
783 section are redesignated as subsections (7) through (10),
784 respectively, to read:

785 626.2815 Continuing education requirements.—
 786 (3) Each licensee ~~subject to this section must, except as~~
 787 ~~set forth in paragraphs (b), (c), (d), and (f),~~ complete a 7-
 788 hour update course every 2 years which is specific to the
 789 license held by the licensee. The course must be developed and
 790 offered by providers and approved by the department. The content
 791 of the course must address all lines of insurance for which
 792 examination and license is required and include the following
 793 subject areas: insurance law updates, ethics for insurance
 794 professionals, disciplinary trends and case studies, industry
 795 trends, premium discounts, determining suitability of products
 796 and services, and other similar insurance-related topics the
 797 department determines are relevant to legally and ethically
 798 carrying out the responsibilities of the license granted. A
 799 licensee who holds multiple insurance licenses must complete an
 800 update course that is specific to at least one of the licenses
 801 held. Except as otherwise specified, any remaining required
 802 hours of continuing education are elective and may consist of
 803 any continuing education course approved by the department or
 804 under this section ~~minimum of 24 hours of continuing education~~
 805 ~~courses every 2 years in basic or higher-level courses~~
 806 ~~prescribed by this section or in other courses approved by the~~
 807 ~~department.~~
 808 (a) Except as provided in paragraphs (b), (c), (d), and
 809 (e), each licensee must also complete 17 ~~3~~ hours of elective
 810 continuing education courses, approved by the department, every
 811 ~~2 years on the subject matter of ethics. Each licensed general~~
 812 ~~lines agent and customer representative must complete 1 hour of~~

813 ~~continuing education, approved by the department, every 2 years~~
 814 ~~on the subject matter of premium discounts available on property~~
 815 ~~insurance policies based on various hurricane mitigation options~~
 816 ~~and the means for obtaining the discounts.~~

817 (b) A licensee who has been licensed for 6 or more years
 818 must also complete a minimum of 13 ~~20~~ hours of elective
 819 continuing education every 2 years ~~in intermediate or advanced-~~
 820 ~~level courses prescribed by this section or in other courses~~
 821 ~~approved by the department.~~

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

829 (d) An individual who holds a license as a customer
 830 representative, limited customer representative, title agent,
 831 motor vehicle physical damage and mechanical breakdown insurance
 832 agent, or an industrial fire insurance or burglary insurance
 833 agent and who is not a licensed life or health agent, must also
 834 complete a minimum of 3 ~~10~~ hours of continuing education courses
 835 every 2 years.

836 ~~(e) An individual who holds a license to solicit or sell~~
 837 ~~life or health insurance and a license to solicit or sell~~
 838 ~~property, casualty, surety, or surplus lines insurance must~~
 839 ~~complete courses in life or health insurance for one-half of the~~
 840 ~~total hours required and courses in property, casualty, surety,~~

841 ~~or surplus lines insurance for one half of the total hours~~
842 ~~required. However, a licensee who holds an industrial fire or~~
843 ~~burglary insurance license and who is a licensed life or health~~
844 ~~agent must complete 4 hours of continuing education courses~~
845 ~~every 2 years related to industrial fire or burglary insurance~~
846 ~~and the remaining number of hours of continuing education~~
847 ~~courses related to life or health insurance.~~

848 (e) ~~(f)~~ An individual subject to chapter 648 must complete
849 the 7-hour update course and a minimum of 7 14 hours of elective
850 continuing education courses every 2 years.

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

857 (g) Excess hours accumulated during any 2-year compliance
858 period may be carried forward to the next compliance period.

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

869 by the department to require monitoring and review of insurance
 870 laws or insurance regulations and practices, is exempt from this
 871 section.

872 ~~(7) Any person who holds a license to solicit or sell life~~
 873 ~~insurance in this state must complete a minimum of 3 hours in~~
 874 ~~continuing education, approved by the department, on the subject~~
 875 ~~of suitability in annuity and life insurance transactions. This~~
 876 ~~requirement does not apply to an agent who does not have any~~
 877 ~~active life insurance or annuity contracts. In applying this~~
 878 ~~exemption, the department may require the filing of a~~
 879 ~~certification attesting that the agent has not sold life~~
 880 ~~insurance or annuities during the continuing education~~
 881 ~~compliance cycle in question and does not have any active life~~
 882 ~~insurance or annuity contracts. A licensee may use the hours~~
 883 ~~obtained under this paragraph to satisfy the requirement for~~
 884 ~~continuing education in ethics under paragraph (3) (a).~~

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

887 626.292 Transfer of license from another state.—

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

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

895 (a) The individual must ~~shall~~ become a resident of this
 896 state.

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

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

905 1. A certification issued by the appropriate official of
 906 the applicant's home state identifying the type of license and
 907 lines of authority under the license and stating that, at the
 908 time the license from the home state was canceled, the applicant
 909 was in good standing in that state or that the state's Producer
 910 Database records, maintained by the National Association of
 911 Insurance Commissioners, its affiliates, or subsidiaries,
 912 indicate that the agent or all-lines adjuster is or was licensed
 913 in good standing for the line of authority requested.

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

916 (d) The individual must ~~shall~~ satisfy prelicensing
 917 education requirements in this state, unless the completion of
 918 prelicensing education requirements was a prerequisite for
 919 licensure in the other state and the prelicensing education
 920 requirements in the other state are substantially equivalent to
 921 the prelicensing requirements of this state as determined by the
 922 department. This paragraph does not apply to all-lines
 923 adjusters.

924 (e) The individual must ~~shall~~ satisfy the examination

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925 requirement under s. 626.221, unless exempted ~~exempt thereunder~~.

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

928 626.311 Scope of license.—

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

932 (3) Except with respect ~~as~~ to a limited license as a
933 travel ~~personal accident~~ insurance agent, the license of a
934 health agent covers ~~shall cover~~ all kinds of health insurance,
935 and such ~~no~~ license may not ~~shall~~ be ~~issued~~ limited to a
936 particular class of health insurance.

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

939 626.321 Limited licenses.—

940 (1) The department shall issue to a qualified applicant
941 ~~individual, or a qualified individual or entity under paragraphs~~
942 ~~(c), (d), (e), and (i),~~ a license as agent authorized to
943 transact a limited class of business in any of the following
944 categories of limited lines insurance:

945 (a) *Motor vehicle physical damage and mechanical breakdown*
946 *insurance.*—License covering insurance against only the loss of
947 or damage to a ~~any~~ motor vehicle that ~~which~~ is designed for use
948 upon a highway, including trailers and semitrailers designed for
949 use with such vehicles. Such license also covers insurance
950 against the failure of an original or replacement part to
951 perform any function for which it was designed. ~~The applicant~~
952 ~~for such a license shall pass a written examination covering~~

953 ~~motor vehicle physical damage insurance and mechanical breakdown~~
 954 ~~insurance.~~ A licensee under this paragraph may not ~~No individual~~
 955 ~~while so licensed shall~~ hold a license as an agent for ~~as to~~ any
 956 other or additional kind or class of insurance coverage except
 957 ~~as to~~ a limited license for credit insurance ~~life and disability~~
 958 ~~insurances~~ as provided in paragraph (e). Effective October 1,
 959 2012, all licensees holding such limited license and appointment
 960 may renew the license and appointment, but no new or additional
 961 licenses may be issued pursuant to this paragraph, and a
 962 licensee whose limited license under this paragraph has been
 963 terminated, suspended, or revoked may not have such license
 964 reinstated.

965 (b) *Industrial fire insurance or burglary insurance.*—
 966 License covering only industrial fire insurance or burglary
 967 insurance. The applicant for such a license must ~~shall~~ pass a
 968 written examination covering such insurance. A licensee under
 969 this paragraph may not ~~No individual while so licensed shall~~
 970 hold a license as an agent for ~~as to~~ any other or additional
 971 kind or class of insurance coverage except for ~~as to~~ life
 972 insurance and health insurance ~~insurances~~.

973 (c) *Travel insurance.*—License covering only policies and
 974 certificates of travel insurance, which are subject to review by
 975 the office under s. 624.605(1)(q). Policies and certificates of
 976 travel insurance may provide coverage for risks incidental to
 977 travel, planned travel, or accommodations while traveling,
 978 including, but not limited to, accidental death and
 979 dismemberment of a traveler; trip cancellation, interruption, or
 980 delay; loss of or damage to personal effects or travel

981 documents; baggage delay; emergency medical travel or evacuation
 982 of a traveler; or medical, surgical, and hospital expenses
 983 related to an illness or emergency of a traveler. ~~Any~~ Such
 984 policy or certificate may be issued for terms longer than 60
 985 days, but ~~each policy or certificate~~, other than a policy or
 986 certificate providing coverage for air ambulatory services only,
 987 each policy or certificate must be limited to coverage for
 988 travel or use of accommodations of no longer than 60 days. The
 989 license may be issued only:

990 1. To a full-time salaried employee of a common carrier or
 991 a full-time salaried employee or owner of a transportation
 992 ticket agency and may authorize the sale of such ticket policies
 993 only in connection with the sale of transportation tickets, or
 994 to the full-time salaried employee of such an agent. ~~Ne~~ Such
 995 policy may not ~~shall~~ be for a ~~duration of~~ more than 48 hours or
 996 more than ~~for~~ the duration of a specified one-way trip or round
 997 trip.

998 2. To an entity or individual that is:

999 a. The developer of a timeshare plan that is the subject
 1000 of an approved public offering statement under chapter 721;

1001 b. An exchange company operating an exchange program
 1002 approved under chapter 721;

1003 c. A managing entity operating a timeshare plan approved
 1004 under chapter 721;

1005 d. A seller of travel as defined in chapter 559; or

1006 e. A subsidiary or affiliate of any of the entities
 1007 described in sub-subparagraphs a.-d.

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1009 A licensee shall require each employee who offers policies or
1010 certificates under this subparagraph to receive initial training
1011 from a general lines agent or an insurer authorized under
1012 chapter 624 to transact insurance within this state. For an
1013 entity applying for a license as a travel insurance agent, the
1014 fingerprinting requirement of this section applies only to the
1015 president, secretary, and treasurer and to any other officer or
1016 person who directs or controls the travel insurance operations
1017 of the entity.

1018 (d) *Motor vehicle rental insurance.*—

1019 1. License covering only insurance of the risks set forth
1020 in this paragraph when offered, sold, or solicited with and
1021 incidental to the rental or lease of a motor vehicle and which
1022 applies only to the motor vehicle that is the subject of the
1023 lease or rental agreement and the occupants of the motor
1024 vehicle:

1025 a. Excess motor vehicle liability insurance providing
1026 coverage in excess of the standard liability limits provided by
1027 the lessor in the lessor's lease to a person renting or leasing
1028 a motor vehicle from the licensee's employer for liability
1029 arising in connection with the negligent operation of the leased
1030 or rented motor vehicle.

1031 b. Insurance covering the liability of the lessee to the
1032 lessor for damage to the leased or rented motor vehicle.

1033 c. Insurance covering the loss of or damage to baggage,
1034 personal effects, or travel documents of a person renting or
1035 leasing a motor vehicle.

1036 d. Insurance covering accidental personal injury or death

1037 of the lessee and any passenger who is riding or driving with
 1038 the covered lessee in the leased or rented motor vehicle.

1039 2. Insurance under a motor vehicle rental insurance
 1040 license may be issued only if the lease or rental agreement is
 1041 for no more than 60 days, the lessee is not provided coverage
 1042 for more than 60 consecutive days per lease period, and the
 1043 lessee is given written notice that his or her personal
 1044 insurance policy providing coverage on an owned motor vehicle
 1045 may provide coverage of such risks and that the purchase of the
 1046 insurance is not required in connection with the lease or rental
 1047 of a motor vehicle. If the lease is extended beyond 60 days, the
 1048 coverage may be extended one time only for a period not to
 1049 exceed an additional 60 days. Insurance may be provided to the
 1050 lessee as an additional insured on a policy issued to the
 1051 licensee's employer.

1052 3. The license may be issued only to the full-time
 1053 salaried employee of a licensed general lines agent or to a
 1054 business entity that offers motor vehicles for rent or lease if
 1055 insurance sales activities authorized by the license are in
 1056 connection with and incidental to the rental or lease of a motor
 1057 vehicle.

1058 a. A license issued to a business entity that offers motor
 1059 vehicles for rent or lease encompasses ~~shall encompass~~ each
 1060 office, branch office, or place of business making use of the
 1061 entity's business name in order to offer, solicit, and sell
 1062 insurance pursuant to this paragraph.

1063 b. The application for licensure must list the name,
 1064 address, and phone number for each office, branch office, or

1065 place of business that is to be covered by the license. The
 1066 licensee shall notify the department of the name, address, and
 1067 phone number of any new location that is to be covered by the
 1068 license before the new office, branch office, or place of
 1069 business engages in the sale of insurance pursuant to this
 1070 paragraph. The licensee must ~~shall~~ notify the department within
 1071 30 days after closing or terminating an office, branch office,
 1072 or place of business. Upon receipt of the notice, the department
 1073 shall delete the office, branch office, or place of business
 1074 from the license.

1075 c. A licensed and appointed entity is directly responsible
 1076 and accountable for all acts of the licensee's employees.

1077 (e) ~~Credit life or disability insurance.~~ License covering
 1078 only credit life, credit or disability insurance, credit
 1079 property, credit unemployment, involuntary unemployment,
 1080 mortgage life, mortgage guaranty, mortgage disability,
 1081 guaranteed automobile protection (GAP) insurance, and any other
 1082 form of insurance offered in connection with an extension of
 1083 credit which is limited to partially or wholly extinguishing a
 1084 credit obligation that the department determines should be
 1085 designated a form of limited line credit insurance. Effective
 1086 October 1, 2012, all valid licenses held by persons for any of
 1087 the lines of insurance listed in this paragraph shall be
 1088 converted to a credit insurance license. Licensees who wish to
 1089 obtain a new license reflecting such change must request a
 1090 duplicate license and pay a \$5 fee as specified in s.
 1091 624.501(15). The license may be issued only to an individual
 1092 employed by a life or health insurer as an officer or other

1093 | salaried or commissioned representative, to an individual
 1094 | employed by or associated with a lending or financial
 1095 | institution or creditor, or to a lending or financial
 1096 | institution or creditor, and may authorize the sale of such
 1097 | insurance only with respect to borrowers or debtors of such
 1098 | lending or financing institution or creditor. However, only the
 1099 | individual or entity whose tax identification number is used in
 1100 | receiving or is credited with receiving the commission from the
 1101 | sale of such insurance shall be the licensed agent of the
 1102 | insurer. No individual while so licensed shall hold a license as
 1103 | an agent as to any other or additional kind or class of life or
 1104 | health insurance coverage. ~~An entity holding a limited license~~
 1105 | ~~under this paragraph is also authorized to sell credit insurance~~
 1106 | ~~and credit property insurance.~~

1107 | ~~(f) Credit insurance. License covering only credit~~
 1108 | ~~insurance, as such insurance is defined in s. 624.605(1)(i), and~~
 1109 | ~~no individual or entity so licensed shall, during the same~~
 1110 | ~~period, hold a license as an agent as to any other or additional~~
 1111 | ~~kind of life or health insurance with the exception of credit~~
 1112 | ~~life or disability insurance as defined in paragraph (e). The~~
 1113 | ~~same licensing provisions as outlined in paragraph (e) apply to~~
 1114 | ~~entities licensed as credit insurance agents under this~~
 1115 | ~~paragraph.~~

1116 | ~~(g) Credit property insurance. A license covering only~~
 1117 | ~~credit property insurance may be issued to any individual except~~
 1118 | ~~an individual employed by or associated with a financial~~
 1119 | ~~institution as defined in s. 655.005 and authorized to sell such~~
 1120 | ~~insurance only with respect to a borrower or debtor, not to~~

1121 ~~exceed the amount of the loan.~~

1122 ~~(f)(h) Crop hail and multiple-peril crop insurance.-~~

1123 License for insurance covering crops subject to unfavorable
 1124 weather conditions, fire or lightening, flood, hail, insect
 1125 infestation, disease, or other yield-reducing conditions or
 1126 perils which is provided by the private insurance market, or
 1127 which is subsidized by the Federal Group Insurance Corporation
 1128 including multi-peril crop insurance ~~only crop hail and~~

1129 ~~multiple-peril crop insurance.~~ Notwithstanding any other
 1130 provision of law, the limited license may be issued to a bona
 1131 fide salaried employee of an association chartered under the
 1132 Farm Credit Act of 1971, 12 U.S.C. ss. 2001 et seq., who
 1133 satisfactorily completes the examination prescribed by the
 1134 department pursuant to s. 626.241(5). The ~~limited~~ agent must be
 1135 appointed by, and his or her limited license requested by, a
 1136 licensed general lines agent. All business transacted by the
 1137 ~~limited~~ agent must be on ~~shall be in~~ behalf of, in the name of,
 1138 and countersigned by the agent by whom he or she is appointed.
 1139 Sections 626.561 and 626.748, relating to records, apply to all
 1140 business written pursuant to this section. The ~~limited~~ licensee
 1141 may be appointed by and licensed for only one general lines
 1142 agent or agency.

1143 ~~(g)(i) In-transit and storage personal property insurance,~~
 1144 ~~communications equipment property insurance, communications~~
 1145 ~~equipment inland marine insurance, and communications equipment~~
 1146 ~~service warranty agreement sales.-~~

1147 ~~1. A License~~ for insurance covering only ~~the insurance of~~
 1148 personal property not held for resale, covering the risks of

1149 transportation or storage in rented or leased motor vehicles,
 1150 trailers, or self-service storage facilities, ~~as the latter are~~
 1151 defined in s. 83.803. ~~Such license,~~ may be issued, without
 1152 examination, only to employees or authorized representatives of
 1153 lessors who rent or lease motor vehicles, trailers, or self-
 1154 service storage facilities and who are authorized by an insurer
 1155 to issue certificates or other evidences of insurance to lessees
 1156 of such motor vehicles, trailers, or self-service storage
 1157 facilities under an insurance policy issued to the lessor. A
 1158 person licensed under this paragraph must ~~shall~~ give a
 1159 prospective purchaser of in-transit or storage personal property
 1160 insurance written notice that his or her homeowner's policy may
 1161 provide coverage for the loss of personal property and that the
 1162 purchase of such insurance is not required under the lease
 1163 terms.

1164 ~~2. A license covering only communications equipment, for~~
 1165 ~~the loss, theft, mechanical failure, malfunction of or damage~~
 1166 ~~to, communications equipment. The license may be issued only to:~~

1167 ~~a. Employees or authorized representatives of a licensed~~
 1168 ~~general lines agent;~~

1169 ~~b. The lead business location of a retail vendor of~~
 1170 ~~communications equipment and its branch locations; or~~

1171 ~~c. Employees, agents, or authorized representatives of a~~
 1172 ~~retail vendor of communications equipment.~~

1173
 1174 ~~The license authorizes the sale of such policies, or~~
 1175 ~~certificates under a group master policy, only with respect to~~
 1176 ~~the sale of, or provision of communications service for,~~

1177 ~~communications equipment. A general lines agent is not required~~
1178 ~~to obtain a license under this subparagraph to offer or sell~~
1179 ~~communications equipment property insurance or communication~~
1180 ~~equipment inland marine insurance. The license also authorizes~~
1181 ~~sales of service warranty agreements covering only~~
1182 ~~communications equipment to the same extent as if licensed under~~
1183 ~~s. 634.419 or s. 634.420. The provisions of this chapter~~
1184 ~~requiring submission of fingerprints do not apply to~~
1185 ~~communications equipment licenses issued to qualified entities~~
1186 ~~under this subparagraph. Licensees offering policies under this~~
1187 ~~subparagraph must receive initial training from, and have a~~
1188 ~~contractual relationship with, a general lines agent. For the~~
1189 ~~purposes of this subparagraph, the term "communications~~
1190 ~~equipment" means handsets, pagers, personal digital assistants,~~
1191 ~~portable computers, automatic answering devices, and other~~
1192 ~~devices or accessories used to originate or receive~~
1193 ~~communications signals or service, and includes services related~~
1194 ~~to the use of such devices, such as consumer access to a~~
1195 ~~wireless network; however, the term does not include~~
1196 ~~telecommunications switching equipment, transmission wires, cell~~
1197 ~~site transceiver equipment, or other equipment and systems used~~
1198 ~~by telecommunications companies to provide telecommunications~~
1199 ~~service to consumers. A branch location of a retail vendor of~~
1200 ~~communications equipment licensed pursuant to paragraph (2) (b)~~
1201 ~~may, in lieu of obtaining an appointment from an insurer or~~
1202 ~~warranty association as provided in paragraph (2) (c), obtain a~~
1203 ~~single appointment from the associated lead business location~~
1204 ~~licensee licensed under paragraph (2) (a) and pay the prescribed~~

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1205 ~~appointment fee under s. 624.501 provided the lead business~~
1206 ~~location has a single appointment from each insurer or warranty~~
1207 ~~association represented and such appointment provides that it~~
1208 ~~applies to the lead business location and all of its branch~~
1209 ~~locations. Any branch location individually appointed by an~~
1210 ~~insurer under paragraph (2) (c) prior to January 1, 2006, may~~
1211 ~~replace its appointments with an appointment from its lead~~
1212 ~~location at no charge. Branch location appointments shall be~~
1213 ~~renewed on the first annual anniversary of licensure of the lead~~
1214 ~~business location occurring more than 24 months after the~~
1215 ~~initial appointment date and every 24 months thereafter.~~
1216 ~~Notwithstanding s. 624.501, after July 1, 2006, the renewal fee~~
1217 ~~applicable to such branch location appointments shall be \$30 per~~
1218 ~~appointment.~~

1219 (h) Portable electronics insurance.—License for property
1220 insurance or inland marine insurance that covers only loss,
1221 theft, mechanical failure, malfunction, or damage for portable
1222 electronics.

1223 1. The license may be issued only to:

1224 a. Employees or authorized representatives of a licensed
1225 general lines agent; or

1226 b. The lead business location of a retail vendor that
1227 sells portable electronics insurance. The lead business location
1228 must have a contractual relationship with a general lines agent.

1229 2. Employees or authorized representatives of a licensee
1230 under subparagraph 1. may sell or offer for sale portable
1231 electronics coverage without being subject to licensure as an
1232 insurance agent if:

1233 a. Such insurance is sold or offered for sale at a
 1234 licensed location or at one of the licensee's branch locations
 1235 if the branch location is appointed by the licensed lead
 1236 business location or its appointing insurers;

1237 b. The insurer issuing the insurance directly supervises
 1238 or appoints a general lines agent to supervise the sale of such
 1239 insurance, including the development of a training program for
 1240 the employees and authorized representatives of vendors that are
 1241 directly engaged in the activity of selling or offering the
 1242 insurance; and

1243 c. At each location where the insurance is offered,
 1244 brochures or other written materials that provide the
 1245 information required by this subparagraph are made available to
 1246 all prospective customers. The brochures or written materials
 1247 may include information regarding portable electronics
 1248 insurance, service warranty agreements, or other incidental
 1249 services or benefits offered by a licensee.

1250 3. Individuals not licensed to sell portable electronics
 1251 insurance may not be paid commissions based on the sale of such
 1252 coverage. However, a licensee who uses a compensation plan for
 1253 employees and authorized representatives which includes
 1254 supplemental compensation for the sale of noninsurance products,
 1255 in addition to a regular salary or hourly wages, may include
 1256 incidental compensation for the sale of portable electronics
 1257 insurance as a component of the overall compensation plan.

1258 4. Brochures or other written materials related to
 1259 portable electronics insurance must:

1260 a. Disclose that such insurance may duplicate coverage

1261 already provided by a customer's homeowners' insurance policy,
 1262 renters' insurance policy, or other source of coverage;

1263 b. State that enrollment in insurance coverage is not
 1264 required in order to purchase or lease portable electronics or
 1265 services;

1266 c. Summarize the material terms of the insurance coverage,
 1267 including the identity of the insurer, the identity of the
 1268 supervising entity, the amount of any applicable deductible and
 1269 how it is to be paid, the benefits of coverage, and key terms
 1270 and conditions of coverage, such as whether portable electronics
 1271 may be repaired or replaced with similar make and model
 1272 reconditioned or nonoriginal manufacturer parts or equipment;

1273 d. Summarize the process for filing a claim, including a
 1274 description of how to return portable electronics and the
 1275 maximum fee applicable if the customer fails to comply with
 1276 equipment return requirements; and

1277 e. State that an enrolled customer may cancel coverage at
 1278 any time and that the person paying the premium will receive a
 1279 refund of any unearned premium.

1280 5. A licensed and appointed general lines agent is not
 1281 required to obtain a portable electronics insurance license to
 1282 offer or sell portable electronics insurance at locations
 1283 already licensed as an insurance agency, but may apply for a
 1284 portable electronics insurance license for branch locations not
 1285 otherwise licensed to sell insurance.

1286 6. A portable electronics license authorizes the sale of
 1287 individual policies or certificates under a group or master
 1288 insurance policy. The license also authorizes the sale of

1289 service warranty agreements covering only portable electronics
 1290 to the same extent as if licensed under s. 634.419 or s.
 1291 634.420.

1292 7. A licensee may bill and collect the premium for the
 1293 purchase of portable electronics insurance provided that:

1294 a. If the insurance is included with the purchase or lease
 1295 of portable electronics or related services, the licensee
 1296 clearly and conspicuously discloses that insurance coverage is
 1297 included with the purchase. Disclosure of the dollar amount of
 1298 the premium for the insurance must be made on the customer's
 1299 bill and in any marketing materials made available at the point
 1300 of sale. If the insurance is not included, the charge to the
 1301 customer for the insurance must be separately itemized on the
 1302 customer's bill.

1303 b. Premiums are incidental to other fees collected, are
 1304 maintained in a manner that is readily identifiable, and are
 1305 accounted for and remitted to the insurer or supervising entity
 1306 within 60 days of receipt. Licensees are not required to
 1307 maintain such funds in a segregated account.

1308 c. All funds received by a licensee from an enrolled
 1309 customer for the sale of the insurance are considered funds held
 1310 in trust by the licensee in a fiduciary capacity for the benefit
 1311 of the insurer. Licensees may receive compensation for billing
 1312 and collection services.

1313 8. Notwithstanding any other provision of law, the terms
 1314 for the termination or modification of coverage under a policy
 1315 of portable electronics insurance are those set forth in the
 1316 policy.

1317 9. Notice or correspondence required by the policy, or
1318 otherwise required by law, may be provided by electronic means
1319 if the insurer or licensee maintains proof that the notice or
1320 correspondence was sent. Such notice or correspondence may be
1321 sent on behalf of the insurer or licensee by the general lines
1322 agent appointed by the insurer to supervise the administration
1323 of the program. For purposes of this subparagraph, an enrolled
1324 customer's provision of an electronic mail address to the
1325 insurer or licensee is deemed to be consent to receive notices
1326 and correspondence by electronic means if a conspicuously
1327 located disclosure is provided to the customer indicating the
1328 same.

1329 10. The provisions of this chapter requiring submission of
1330 fingerprints do not apply to licenses issued to qualified
1331 entities under this paragraph.

1332 11. A branch location that sells portable electronics
1333 insurance may, in lieu of obtaining an appointment from an
1334 insurer or warranty association, obtain a single appointment
1335 from the associated lead business location licensee and pay the
1336 prescribed appointment fee under s. 624.501 if the lead business
1337 location has a single appointment from each insurer or warranty
1338 association represented and such appointment applies to the lead
1339 business location and all of its branch locations. Branch
1340 location appointments shall be renewed 24 months after the
1341 initial appointment date of the lead business location and every
1342 24 months thereafter. Notwithstanding s. 624.501, the renewal
1343 fee applicable to such branch location appointments is \$30 per
1344 appointment.

1345 12. For purposes of this paragraph:
 1346 a. "Branch location" means any physical location in this
 1347 state at which a licensee offers its products or services for
 1348 sale.
 1349 b. "Portable electronics" means personal, self-contained,
 1350 easily carried by an individual, battery-operated electronic
 1351 communication, viewing, listening, recording, gaming, computing
 1352 or global positioning devices, including cell or satellite
 1353 phones, pagers, personal global positioning satellite units,
 1354 portable computers, portable audio listening, video viewing or
 1355 recording devices, digital cameras, video camcorders, portable
 1356 gaming systems, docking stations, automatic answering devices,
 1357 and other similar devices and their accessories, and service
 1358 related to the use of such devices.
 1359 c. "Portable electronics transaction" means the sale or
 1360 lease of portable electronics or a related service, including
 1361 portable electronics insurance.
 1362 (4) Except as otherwise expressly provided, a person
 1363 applying for or holding a limited license is ~~shall be~~ subject to
 1364 the same applicable requirements and responsibilities that ~~as~~
 1365 apply to general lines agents in general, if licensed as to
 1366 motor vehicle physical damage and mechanical breakdown
 1367 insurance, ~~credit property insurance,~~ industrial fire insurance
 1368 or burglary insurance, motor vehicle rental insurance, credit
 1369 insurance, crop hail and multiple-peril crop insurance, in-
 1370 transit and storage personal property insurance, or portable
 1371 electronics insurance ~~communications equipment property~~
 1372 ~~insurance or communications equipment inland marine insurance,~~

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1373 ~~baggage and motor vehicle excess liability insurance, or credit~~
 1374 ~~insurance;~~ or as apply to life agents or health agents in
 1375 general, as applicable ~~the case may be,~~ if licensed as to travel
 1376 ~~personal accident insurance or credit life or credit disability~~
 1377 insurance.

1378 Section 17. Section 626.342, Florida Statutes, is amended
 1379 to read:

1380 626.342 Furnishing supplies to unlicensed ~~life, health, or~~
 1381 ~~general lines~~ agent prohibited; civil liability.—

1382 (1) An insurer, a managing general agent, an insurance
 1383 agency, or an agent, directly or through a ~~any~~ representative,
 1384 may not furnish to an ~~any~~ agent any blank forms, applications,
 1385 stationery, or other supplies to be used in soliciting,
 1386 negotiating, or effecting contracts of insurance on its behalf
 1387 unless such blank forms, applications, stationery, or other
 1388 supplies relate to a class of business for ~~with respect to~~ which
 1389 the agent is licensed and appointed, whether for that insurer or
 1390 another insurer.

1391 (2) An ~~Any~~ insurer, general agent, insurance agency, or
 1392 agent who furnishes any of the supplies specified in subsection
 1393 (1) to an ~~any~~ agent or prospective agent not appointed to
 1394 represent the insurer and who accepts from or writes any
 1395 insurance business for such agent or agency is subject to civil
 1396 liability to an ~~any~~ insured of such insurer to the same extent
 1397 and ~~in the same~~ manner as if such agent or prospective agent had
 1398 been appointed or authorized by the insurer or such agent to act
 1399 on ~~in~~ its or his or her behalf. The provisions of this
 1400 subsection do not apply to insurance risk apportionment plans

1401 under s. 627.351.

1402 (3) This section does not apply to the placing of surplus
1403 lines business under the provisions of ss. 626.913-626.937.

1404 Section 18. Subsection (1) of section 626.381, Florida
1405 Statutes, is amended to read:

1406 626.381 Renewal, continuation, reinstatement, or
1407 termination of appointment.-

1408 (1) The appointment of an appointee continues ~~shall~~
1409 ~~continue~~ in force until suspended, revoked, or otherwise
1410 terminated, but is subject to a renewal request filed by the
1411 appointing entity in the appointee's birth month as to natural
1412 persons or the month the original appointment was issued ~~license~~
1413 ~~date~~ as to entities and every 24 months thereafter, accompanied
1414 by payment of the renewal appointment fee and taxes as
1415 prescribed in s. 624.501.

1416 Section 19. Section 626.536, Florida Statutes, is amended
1417 to read:

1418 626.536 Reporting of administrative actions. ~~Each agent~~
1419 ~~and insurance agency shall submit to the department,~~ Within 30
1420 days after the final disposition of an any administrative action
1421 taken against a licensee ~~the agent~~ or insurance agency by a
1422 governmental agency or other regulatory agency in this or any
1423 other state or jurisdiction relating to the business of
1424 insurance, the sale of securities, or activity involving fraud,
1425 dishonesty, trustworthiness, or breach of a fiduciary duty, the
1426 licensee or insurance agency must submit a copy of the order,
1427 consent to order, or other relevant legal documents to the
1428 department. The department may adopt rules to administer

1429 ~~implementing the provisions of this section.~~

1430 Section 20. Section 626.551, Florida Statutes, is amended
1431 to read:

1432 626.551 Notice of change of address, name.—A ~~Every~~
1433 licensee must ~~shall~~ notify the department, in writing, within 30
1434 ~~60~~ days after a change of name, residence address, principal
1435 business street address, mailing address, contact telephone
1436 numbers, including a business telephone number, or e-mail
1437 address. A licensee ~~licensed agent~~ who has moved his or her
1438 residence from this state shall have his or her license and all
1439 appointments immediately terminated by the department. Failure
1440 to notify the department within the required time ~~period~~ shall
1441 result in a fine not to exceed \$250 for the first offense and ~~7~~
1442 ~~for subsequent offenses,~~ a fine of at least \$500 or suspension
1443 or revocation of the license pursuant to s. 626.611, s.
1444 626.6115, or s. 626.621, or s. 626.6215 for a subsequent
1445 offense. The department may adopt rules to administer and
1446 enforce this section.

1447 Section 21. Subsection (14) is added to section 626.621,
1448 Florida Statutes, to read:

1449 626.621 Grounds for discretionary refusal, suspension, or
1450 revocation of agent's, adjuster's, customer representative's,
1451 service representative's, or managing general agent's license or
1452 appointment.—The department may, in its discretion, deny an
1453 application for, suspend, revoke, or refuse to renew or continue
1454 the license or appointment of any applicant, agent, adjuster,
1455 customer representative, service representative, or managing
1456 general agent, and it may suspend or revoke the eligibility to

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1457 hold a license or appointment of any such person, if it finds
 1458 that as to the applicant, licensee, or appointee any one or more
 1459 of the following applicable grounds exist under circumstances
 1460 for which such denial, suspension, revocation, or refusal is not
 1461 mandatory under s. 626.611:

1462 (14) Failure to comply with any civil, criminal, or
 1463 administrative action taken by the child support enforcement
 1464 program under Title IV-D of the Social Security Act, 42 U.S.C.
 1465 ss. 651 et seq., to determine paternity or to establish, modify,
 1466 enforce, or collect support.

1467 Section 22. Subsection (4) of section 626.641, Florida
 1468 Statutes, is amended to read:

1469 626.641 Duration of suspension or revocation.—

1470 (4) During the period of suspension or revocation of a ~~the~~
 1471 license or appointment, and until the license is reinstated or,
 1472 if revoked, a new license issued, the former licensee or
 1473 appointee may ~~shall~~ not engage in or attempt or profess to
 1474 engage in any transaction or business for which a license or
 1475 appointment is required under this code or directly or
 1476 indirectly own, control, or be employed in any manner by an ~~any~~
 1477 ~~insurance agent, or agency, or adjuster,~~ or adjusting firm.

1478 Section 23. Subsection (1) of section 626.651, Florida
 1479 Statutes, is amended to read:

1480 626.651 Effect of suspension, revocation upon associated
 1481 licenses and appointments and licensees and appointees.—

1482 (1) Upon suspension, revocation, or refusal to renew or
 1483 continue any one license of a licensee ~~an agent or customer~~
 1484 ~~representative,~~ or upon suspension or revocation of eligibility

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1485 to hold a license or appointment, the department shall at the
 1486 same time likewise suspend or revoke all other licenses,
 1487 appointments, or status of eligibility held by the licensee or
 1488 appointee under this code.

1489 Section 24. Subsection (4) of section 626.730, Florida
 1490 Statutes, is amended, and subsection (5) of that section is
 1491 created, to read:

1492 626.730 Purpose of license.—

1493 (4) This section does not prohibit ~~the licensing under a~~
 1494 licensee holding a limited license for credit insurance or as to
 1495 motor vehicle physical damage and mechanical breakdown insurance
 1496 from being or credit property insurance of any person employed
 1497 by or associated with a motor vehicle sales or financing agency,
 1498 a retail sales establishment, or a consumer loan office for the
 1499 purpose of insuring, ~~other than a consumer loan office owned by~~
 1500 ~~or affiliated with a financial institution as defined in s.~~
 1501 ~~655.005, with respect to insurance of the interest of such~~
 1502 entity ~~agency~~ in a motor vehicle sold or financed by it or in
 1503 personal property if used as collateral for a loan.

1504 (5) This section does not apply ~~with respect~~ to the
 1505 interest of a real estate mortgagee in or as to insurance
 1506 covering such interest or in the real estate subject to such
 1507 mortgage.

1508 Section 25. Section 626.732, Florida Statutes, is amended
 1509 to read:

1510 626.732 Requirement as to knowledge, experience, or
 1511 instruction.—

1512 (1) Except as provided in subsection (4) ~~(3)~~, an ~~no~~

1513 applicant for a license as a general lines agent ~~or personal~~
 1514 ~~lines agent~~, except for a chartered property and casualty
 1515 underwriter (CPCU), may not ~~other than as to a limited license~~
 1516 ~~as to baggage and motor vehicle excess liability insurance,~~
 1517 ~~credit property insurance, credit insurance, in-transit and~~
 1518 ~~storage personal property insurance, or communications equipment~~
 1519 ~~property insurance or communication equipment inland marine~~
 1520 ~~insurance, shall~~ be qualified or licensed unless, within the 4
 1521 years immediately preceding the date the application for license
 1522 is filed with the department, the applicant has:

1523 (a) Taught or successfully completed classroom courses in
 1524 insurance, 3 hours of which must ~~shall~~ be on the subject matter
 1525 of ethics, ~~satisfactory to the department~~ at a school, college,
 1526 or extension division thereof, approved by the department. ~~To~~
 1527 ~~qualify for licensure as a personal lines agent, the applicant~~
 1528 ~~must complete a total of 52 hours of classroom courses in~~
 1529 ~~insurance;~~

1530 (b) Completed a correspondence course in insurance, 3
 1531 hours of which must ~~shall~~ be on the subject matter of ethics,
 1532 satisfactory to the department and regularly offered by
 1533 accredited institutions of higher learning in this state, and
 1534 ~~have, except if he or she is applying for a limited license~~
 1535 ~~under s. 626.321, for licensure as a general lines agent, has~~
 1536 ~~had~~ at least 6 months of responsible insurance duties as a
 1537 substantially full-time bona fide employee in all lines of
 1538 property and casualty insurance set forth in the definition of
 1539 general lines agent under s. 626.015 ~~or, for licensure as a~~
 1540 ~~personal lines agent, has completed at least 3 months in~~

1541 ~~responsible insurance duties as a substantially full-time~~
 1542 ~~employee in property and casualty insurance sold to individuals~~
 1543 ~~and families for noncommercial purposes;~~

1544 (c) ~~For licensure as a general lines agent,~~ Completed at
 1545 least 1 year in responsible insurance duties as a substantially
 1546 full-time bona fide employee in all lines of property and
 1547 casualty insurance, ~~exclusive of aviation and wet marine and~~
 1548 ~~transportation insurances but not exclusive of boats of less~~
 1549 ~~than 36 feet in length or aircraft not held out for hire,~~ as set
 1550 forth in the definition of a general lines agent under s.
 1551 626.015, but without the education requirement described
 1552 ~~mentioned in paragraph (a) or paragraph (b) or, for licensure as~~
 1553 ~~a personal lines agent, has completed at least 6 months in~~
 1554 ~~responsible insurance duties as a substantially full-time~~
 1555 ~~employee in property and casualty insurance sold to individuals~~
 1556 ~~and families for noncommercial purposes without the education~~
 1557 ~~requirement in paragraph (a) or paragraph (b);~~

1558 (d)1. ~~For licensure as a general lines agent,~~ Completed at
 1559 least 1 year of responsible insurance duties as a licensed and
 1560 appointed customer representative or limited customer
 1561 representative in commercial or personal lines of property and
 1562 casualty insurance and 40 hours of classroom courses approved by
 1563 the department covering the areas of property, casualty, surety,
 1564 health, and marine insurance; or

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

1569 ~~for noncommercial purposes and 20 hours of classroom courses~~
 1570 ~~approved by the department which are related to property and~~
 1571 ~~casualty insurance sold to individuals and families for~~
 1572 ~~noncommercial purposes;~~

1573 (e)1. ~~For licensure as a general lines agent, Completed at~~
 1574 ~~least 1 year of responsible insurance duties as a licensed and~~
 1575 ~~appointed service representative in either commercial or~~
 1576 ~~personal lines of property and casualty insurance and 80 hours~~
 1577 ~~of classroom courses approved by the department covering the~~
 1578 ~~areas of property, casualty, surety, health, and marine~~
 1579 ~~insurance.; or~~

1580 ~~2. For licensure as a personal lines agent, completed at~~
 1581 ~~least 6 months of responsible insurance duties as a licensed and~~
 1582 ~~appointed service representative in property and casualty~~
 1583 ~~insurance sold to individuals and families for noncommercial~~
 1584 ~~purposes and 40 hours of classroom courses approved by the~~
 1585 ~~department related to property and casualty insurance sold to~~
 1586 ~~individuals and families for noncommercial purposes; or~~

1587 (2) Except as provided under subsection (4), an applicant
 1588 for a license as a personal lines agent, except for a chartered
 1589 property and casualty underwriter (CPCU), may not be qualified
 1590 or licensed unless, within the 4 years immediately preceding the
 1591 date the application for license is filed with the department,
 1592 the applicant has:

1593 (a) Taught or successfully completed classroom courses in
 1594 insurance, 3 hours of which must be on the subject matter of
 1595 ethics, at a school, college, or extension division thereof,
 1596 approved by the department. To qualify for licensure, the

1597 applicant must complete a total of 52 hours of classroom courses
 1598 in insurance;

1599 (b) Completed a correspondence course in insurance, 3
 1600 hours of which must be on the subject matter of ethics,
 1601 satisfactory to the department and regularly offered by
 1602 accredited institutions of higher learning in this state, and
 1603 completed at least 3 months of responsible insurance duties as a
 1604 substantially full-time employee in the area of property and
 1605 casualty insurance sold to individuals and families for
 1606 noncommercial purposes;

1607 (c) Completed at least 6 months of responsible insurance
 1608 duties as a substantially full-time employee in the area of
 1609 property and casualty insurance sold to individuals and families
 1610 for noncommercial purposes, but without the education
 1611 requirement described in paragraph (a) or paragraph (b);

1612 (d) Completed at least 6 months of responsible duties as a
 1613 licensed and appointed customer representative or limited
 1614 customer representative in property and casualty insurance sold
 1615 to individuals and families for noncommercial purposes and 20
 1616 hours of classroom courses approved by the department which are
 1617 related to property and casualty insurance sold to individuals
 1618 and families for noncommercial purposes;

1619 (e) Completed at least 6 months of responsible insurance
 1620 duties as a licensed and appointed service representative in
 1621 property and casualty insurance sold to individuals and families
 1622 for noncommercial purposes and 40 hours of classroom courses
 1623 approved by the department related to property and casualty
 1624 insurance sold to individuals and families for noncommercial

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1625 purposes; or

1626 (f) ~~For licensure as a personal lines agent,~~ Completed at
1627 least 3 years of responsible duties as a licensed and appointed
1628 customer representative in property and casualty insurance sold
1629 to individuals and families for noncommercial purposes.

1630 (3)-(2) ~~If~~ Where an applicant's qualifications as required
1631 under subsection (1) or subsection (2) in paragraph (1)(b) or
1632 paragraph (1)(c) are based in part upon ~~the~~ periods of
1633 employment in at responsible insurance duties ~~prescribed~~
1634 ~~therein~~, the applicant shall submit with the license application
1635 ~~for license~~, on a form prescribed by the department, an ~~the~~
1636 affidavit of his or her employer setting forth the period of
1637 such employment, that the employment same was substantially
1638 full-time, and giving a brief abstract of the nature of the
1639 duties performed by the applicant.

1640 (4)-(3) An individual who was or became qualified to sit
1641 for an agent's, customer representative's, or adjuster's
1642 examination at or during the time he or she was employed by the
1643 department or office and who, while so employed, was employed in
1644 responsible insurance duties as a full-time bona fide employee
1645 may ~~shall be permitted to~~ take an examination if application for
1646 such examination is made within 90 days after the date of
1647 termination of ~~his or her~~ employment with the department or
1648 office.

1649 (5)-(4) Classroom and correspondence courses under
1650 subsections (1) and (2) ~~subsection (1)~~ must include instruction
1651 on the subject matter of unauthorized entities engaging in the
1652 business of insurance. The scope of the topic of unauthorized

1653 entities must ~~shall~~ include the Florida Nonprofit Multiple-
 1654 Employer Welfare Arrangement Act and the Employee Retirement
 1655 Income Security Act, 29 U.S.C. ss. 1001 et seq., as it relates
 1656 to the provision of health insurance by employers and the
 1657 regulation thereof.

1658 (6) This section does not apply to an individual holding
 1659 only a limited license for travel insurance, motor vehicle
 1660 rental insurance, credit insurance, in-transit and storage
 1661 personal property insurance, or portable electronics insurance.

1662 Section 26. Section 626.8411, Florida Statutes, is amended
 1663 to read:

1664 626.8411 Application of Florida Insurance Code provisions
 1665 to title insurance agents or agencies.—

1666 (1) The following provisions of part II, ~~as~~ applicable to
 1667 general lines agents or agencies, ~~also~~ apply to title insurance
 1668 agents or agencies:

1669 (a) Section 626.734, relating to liability of certain
 1670 agents.

1671 ~~(b) Section 626.175, relating to temporary licenses.~~

1672 (b)(e) Section 626.747, relating to branch agencies.

1673 (c) Section 626.749, relating to place of business in
 1674 residence.

1675 (d) Section 626.753, relating to sharing of commissions.

1676 (e) Section 626.754, relating to rights of agent following
 1677 termination of appointment.

1678 (2) The following provisions of part I do not apply to
 1679 title insurance agents or title insurance agencies:

1680 (a) Section 626.112(7), relating to licensing of insurance

1681 agencies.

1682 (b) Section 626.231, relating to eligibility for
1683 examination.

1684 (c) Section 626.572, relating to rebating, when allowed.

1685 (d) Section 626.172, relating to agent in full-time
1686 charge.

1687 Section 27. Section 626.8548, Florida Statutes, is created
1688 to read:

1689 626.8548 "All-lines adjuster" defined.—An "all-lines
1690 adjuster" is a person who is self-employed or employed by an
1691 insurer, a wholly owned subsidiary of an insurer, or an
1692 independent adjusting firm or other independent adjuster, and
1693 who undertakes on behalf of an insurer or other insurers under
1694 common control or ownership to ascertain and determine the
1695 amount of any claim, loss, or damage payable under an insurance
1696 contract or undertakes to effect settlement of such claim, loss,
1697 or damage. The term does not apply to life insurance or annuity
1698 contracts.

1699 Section 28. Section 626.855, Florida Statutes, is amended
1700 to read:

1701 626.855 "Independent adjuster" defined.—An "independent
1702 adjuster" means a ~~is any~~ person licensed as an all-lines
1703 adjuster who is self-appointed ~~self-employed~~ or appointed and is
1704 ~~associated with or~~ employed by an independent adjusting firm or
1705 other independent adjuster, and who undertakes on behalf of an
1706 insurer to ascertain and determine the amount of any claim,
1707 loss, or damage payable under an insurance contract or
1708 undertakes to effect settlement of such claim, loss, or damage.

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1709 Section 29. Section 626.856, Florida Statutes, is amended
 1710 to read:

1711 626.856 "Company employee adjuster" defined.—A "company
 1712 employee adjuster" means ~~is~~ a person licensed as an all-lines
 1713 adjuster who is appointed and employed on an insurer's staff of
 1714 adjusters or a wholly owned subsidiary of the insurer, and who
 1715 undertakes on behalf of such insurer or other insurers under
 1716 common control or ownership to ascertain and determine the
 1717 amount of any claim, loss, or damage payable under a contract of
 1718 insurance, or undertakes to effect settlement of such claim,
 1719 loss, or damage.

1720 Section 30. Section 626.858, Florida Statutes, is
 1721 repealed.

1722 Section 31. Section 626.8584, Florida Statutes, is amended
 1723 to read:

1724 626.8584 "Nonresident all-lines independent adjuster"
 1725 defined.—A "nonresident all-lines independent adjuster" means ~~is~~
 1726 a person who:

- 1727 (1) Is not a resident of this state;
- 1728 (2) Is ~~a~~ currently licensed as an independent adjuster in
 1729 his or her state of residence for all lines of insurance except
 1730 life and annuities ~~the type or kinds of insurance for which the~~
 1731 ~~licensee intends to adjust claims in this state or, if a~~
 1732 ~~resident of a state that does not license~~ such independent
 1733 adjusters, meets the qualifications ~~has passed the department's~~
 1734 ~~adjuster examination as prescribed in s. 626.8734(1)(b); and~~
- 1735 (3) Is licensed as an all-lines adjuster and self-
 1736 appointed or appointed and a self-employed independent adjuster

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1737 ~~or associated with or~~ employed by an independent adjusting firm
 1738 or other independent adjuster, by an insurer admitted to do
 1739 business in this state or a wholly-owned subsidiary of an
 1740 insurer admitted to do business in this state, or by other
 1741 insurers under the common control or ownership of such insurer.

1742 Section 32. Section 626.863, Florida Statutes, is amended
 1743 to read:

1744 626.863 Claims referrals to licensed independent adjusters
 1745 ~~required; insurers' responsibility.-~~

1746 (1) An insurer may ~~shall~~ not knowingly refer any claim or
 1747 loss for adjustment in this state to any person purporting to be
 1748 or acting as an independent adjuster unless the person is
 1749 currently licensed as an all-lines adjuster and appointed as an
 1750 independent adjuster under this code.

1751 (2) Before referring any claim or loss, the insurer shall
 1752 ascertain from the department whether the proposed independent
 1753 adjuster is currently licensed as an all-lines adjuster and
 1754 appointed as an independent adjuster ~~such~~. Having ~~once~~
 1755 ascertained that a particular person is so licensed and
 1756 appointed, the insurer may assume that he or she will continue
 1757 to be so licensed and appointed until the insurer has knowledge,
 1758 or receives information from the department, to the contrary.

1759 (3) This section does not apply to catastrophe or
 1760 emergency adjusters as provided ~~for~~ in this part.

1761 Section 33. Section 626.864, Florida Statutes, is amended
 1762 to read:

1763 626.864 Adjuster license types.-

1764 (1) A qualified individual may be licensed ~~and appointed~~

- 1765 as ~~either~~:
- 1766 (a) A public adjuster; or
- 1767 (b) An all-lines ~~independent~~ adjuster; ~~or~~
- 1768 ~~(c) A company employee adjuster.~~
- 1769 (2) The same individual may ~~shall~~ not be concurrently
- 1770 licensed ~~appointed~~ as a public adjuster and an all-lines
- 1771 adjuster ~~to more than one of the adjuster types referred to in~~
- 1772 ~~subsection (1).~~
- 1773 (3) An all-lines adjuster may be appointed as an
- 1774 independent adjuster or company employee adjuster, but not both
- 1775 concurrently.

1776 Section 34. Paragraph (e) is added to subsection (1) of

1777 section 626.865, Florida Statutes, to read:

1778 626.865 Public adjuster's qualifications, bond.—

1779 (1) The department shall issue a license to an applicant

1780 for a public adjuster's license upon determining that the

1781 applicant has paid the applicable fees specified in s. 624.501

1782 and possesses the following qualifications:

1783 (e) Is licensed as a public adjuster apprentice under s.

1784 626.8651 and complies with the requirements of that license

1785 throughout the licensure period.

1786 Section 35. Section 626.866, Florida Statutes, is amended

1787 to read:

1788 626.866 All-lines adjuster ~~Independent adjuster's~~

1789 ~~qualifications.—The department shall issue a license to an~~

1790 ~~applicant for an~~ all-lines adjuster independent adjuster's

1791 license to an applicant upon determining that the applicable

1792 license fee specified in s. 624.501 has been paid and that the

1793 applicant possesses the following qualifications:

1794 (1) Is a natural person at least 18 years of age.

1795 (2) Is a United States citizen or legal alien who
 1796 possesses work authorization from the United States Bureau of
 1797 Citizenship and Immigration Services and a bona fide resident of
 1798 this state.

1799 (3) Is trustworthy and has such business reputation as
 1800 would reasonably assure that the applicant will conduct his or
 1801 her business as insurance adjuster fairly and in good faith and
 1802 without detriment to the public.

1803 (4) Has had sufficient experience, training, or
 1804 instruction concerning the adjusting of damage or loss under
 1805 insurance contracts, other than life and annuity contracts, is
 1806 sufficiently informed as to the terms and the effects of the
 1807 provisions of such types of contracts, and possesses adequate
 1808 knowledge of the insurance laws of this state relating to such
 1809 contracts as to enable and qualify him or her to engage in the
 1810 business of insurance adjuster fairly and without injury to the
 1811 public or any member thereof with whom he or she may have
 1812 relations as an insurance adjuster and to adjust all claims in
 1813 accordance with the policy or contract and the insurance laws of
 1814 this state.

1815 (5) Has passed any required written examination or has met
 1816 one of the exemptions prescribed under s. 626.221.

1817 Section 36. Section 626.867, Florida Statutes, is
 1818 repealed.

1819 Section 37. Section 626.869, Florida Statutes, is amended
 1820 to read:

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1821 626.869 License, adjusters; continuing education.—
 1822 (1) Having ~~An applicant for~~ a license as an all-lines
 1823 adjuster qualifies the licensee to adjust ~~may qualify and his or~~
 1824 ~~her license when issued may cover adjusting in any one of the~~
 1825 ~~following classes of insurance:~~
 1826 ~~(a) all lines of insurance except life and annuities.~~
 1827 ~~(b) Motor vehicle physical damage insurance.~~
 1828 ~~(c) Property and casualty insurance.~~
 1829 ~~(d) Workers' compensation insurance.~~
 1830 ~~(e) Health insurance.~~
 1831
 1832 ~~No examination on workers' compensation insurance or health~~
 1833 ~~insurance shall be required for public adjusters.~~
 1834 (2) All individuals who on October 1, 1990, hold an
 1835 adjuster's license and appointment limited to fire and allied
 1836 lines, including marine or casualty or boiler and machinery, may
 1837 remain licensed and appointed under the limited license and may
 1838 renew their appointment, but a ~~ne~~ license or appointment that
 1839 ~~which~~ has been terminated, not renewed, suspended, or revoked
 1840 may not ~~shall~~ be reinstated, and ~~ne~~ new or additional licenses
 1841 or appointments may not ~~shall~~ be issued.
 1842 (3) All individuals who on October 1, 2012, hold an
 1843 adjuster's license and appointment limited to motor vehicle
 1844 physical damage and mechanical breakdown, property and casualty,
 1845 workers' compensation, or health insurance may remain licensed
 1846 and appointed under such limited license and may renew their
 1847 appointment, but a license that has been terminated, suspended,
 1848 or revoked may not be reinstated, and new or additional licenses

1849 ~~may not be issued. The applicant's application for license shall~~
 1850 ~~specify which of the foregoing classes of business the~~
 1851 ~~application for license is to cover.~~

1852 (4)(a) An ~~Any~~ individual holding a license as a public
 1853 adjuster or an all-lines a company employee adjuster must
 1854 complete all continuing education requirements as specified in
 1855 s. 626.2815. ~~or independent adjuster for 24 consecutive months~~
 1856 ~~or longer must, beginning in his or her birth month and every 2~~
 1857 ~~years thereafter, have completed 24 hours of courses, 2 hours of~~
 1858 ~~which relate to ethics, in subjects designed to inform the~~
 1859 ~~licensee regarding the current insurance laws of this state, so~~
 1860 ~~as to enable him or her to engage in business as an insurance~~
 1861 ~~adjuster fairly and without injury to the public and to adjust~~
 1862 ~~all claims in accordance with the policy or contract and the~~
 1863 ~~laws of this state.~~

1864 (b) ~~Any~~ individual holding a license as a public adjuster
 1865 ~~for 24 consecutive months or longer, beginning in his or her~~
 1866 ~~birth month and every 2 years thereafter, must have completed 24~~
 1867 ~~hours of courses, 2 hours of which relate to ethics, in subjects~~
 1868 ~~designed to inform the licensee regarding the current laws of~~
 1869 ~~this state pertaining to all lines of insurance other than life~~
 1870 ~~and annuities, the current laws of this state pertaining to the~~
 1871 ~~duties and responsibilities of public adjusters as set forth in~~
 1872 ~~this part, and the current rules of the department applicable to~~
 1873 ~~public adjusters and standard or representative policy forms~~
 1874 ~~used by insurers, other than forms for life insurance and~~
 1875 ~~annuities, so as to enable him or her to engage in business as~~
 1876 ~~an adjuster fairly and without injury to the public and to~~

1877 ~~adjust all claims in accordance with the policy or contract and~~
 1878 ~~laws of this state. In order to receive credit for continuing~~
 1879 ~~education courses, public adjusters must take courses that are~~
 1880 ~~specifically designed for public adjusters and approved by the~~
 1881 ~~department, provided, however, no continuing education course~~
 1882 ~~shall be required for public adjusters for workers' compensation~~
 1883 ~~insurance or health insurance.~~

1884 ~~(c) The department shall adopt rules necessary to~~
 1885 ~~implement and administer the continuing education requirements~~
 1886 ~~of this subsection. For good cause shown, the department may~~
 1887 ~~grant an extension of time during which the requirements imposed~~
 1888 ~~by this section may be completed, but such extension of time may~~
 1889 ~~not exceed 1 year.~~

1890 ~~(d) A nonresident public adjuster must complete the~~
 1891 ~~continuing education requirements provided by this section;~~
 1892 ~~provided, a nonresident public adjuster may meet the~~
 1893 ~~requirements of this section if the continuing education~~
 1894 ~~requirements of the nonresident public adjuster's home state are~~
 1895 ~~determined to be substantially comparable to the requirements of~~
 1896 ~~this state's continuing education requirements and if the~~
 1897 ~~resident's state recognizes reciprocity with this state's~~
 1898 ~~continuing education requirements. A nonresident public adjuster~~
 1899 ~~whose home state does not have such continuing education~~
 1900 ~~requirements for adjusters, and who is not licensed as a~~
 1901 ~~nonresident adjuster in a state that has continuing education~~
 1902 ~~requirements and reciprocates with this state, must meet the~~
 1903 ~~continuing education requirements of this section.~~

1904 (5) The regulation of continuing education for licensees,

1905 course providers, instructors, school officials, and monitor
 1906 groups shall be as provided ~~for~~ in s. 626.2816.

1907 Section 38. Paragraph (c) of subsection (2) of section
 1908 626.8697, Florida Statutes, is amended to read:

1909 626.8697 Grounds for refusal, suspension, or revocation of
 1910 adjusting firm license.—

1911 (2) The department may, in its discretion, deny, suspend,
 1912 revoke, or refuse to continue the license of any adjusting firm
 1913 if it finds that any of the following applicable grounds exist
 1914 with respect to the firm or any owner, partner, manager,
 1915 director, officer, or other person who is otherwise involved in
 1916 the operation of the firm:

1917 (c) Violation of an ~~any~~ order or rule of the department,
 1918 office, or commission.

1919 Section 39. Subsections (1) and (5) of section 626.872,
 1920 Florida Statutes, are amended to read:

1921 626.872 Temporary license.—

1922 (1) The department may, ~~in its discretion,~~ issue a
 1923 temporary license as an all-lines independent adjuster ~~or as a~~
 1924 ~~company employee adjuster,~~ subject to the following conditions:

1925 (a) The applicant must be an employee of an adjuster
 1926 currently licensed by the department, ~~an employee of an~~
 1927 authorized insurer, or ~~an employee of an~~ established adjusting
 1928 firm or corporation who ~~which~~ is supervised by a currently
 1929 licensed all-lines independent adjuster.

1930 ~~(b) The application must be accompanied by a certificate~~
 1931 ~~of employment and a report as to the applicant's integrity and~~
 1932 ~~moral character on a form prescribed by the department and~~

1933 ~~executed by the employer.~~

1934 (b)~~(e)~~ The applicant must be a natural person of at least
 1935 18 years of age, ~~must be~~ a bona fide resident of this state,
 1936 ~~must be~~ trustworthy, and ~~must~~ have a ~~such~~ business reputation
 1937 that ~~as~~ would reasonably ensure ~~assure~~ that the applicant will
 1938 conduct his or her business as an adjuster fairly and in good
 1939 faith and without detriment to the public.

1940 (c)~~(d)~~ The applicant's employer is responsible for the
 1941 adjustment acts of the temporary ~~any~~ licensee ~~under this~~
 1942 ~~section.~~

1943 (d)~~(e)~~ The applicable license fee ~~specified~~ must be paid
 1944 before issuance of the temporary license.

1945 (e)~~(f)~~ The temporary license is ~~shall be~~ effective for a
 1946 ~~period of~~ 1 year, but is subject to earlier termination at the
 1947 request of the employer, ~~or~~ if the licensee fails to take an
 1948 examination as an all-lines independent adjuster ~~or company~~
 1949 ~~employee adjuster~~ within 6 months after issuance of the
 1950 temporary license, or if the temporary license is suspended or
 1951 revoked by the department.

1952 (5) The department may ~~shall~~ not issue a temporary license
 1953 as an all-lines independent adjuster ~~or as a company employee~~
 1954 ~~adjuster~~ to an ~~any~~ individual who has ~~ever~~ held such a license
 1955 in this state.

1956 Section 40. Section 626.873, Florida Statutes, is
 1957 repealed.

1958 Section 41. Section 626.8734, Florida Statutes, is amended
 1959 to read:

1960 626.8734 Nonresident all-lines adjuster license

1961 ~~independent adjuster's~~ qualifications.-

1962 (1) The department shall, ~~upon application therefor,~~ issue
 1963 a license to an applicant for a nonresident all-lines adjuster
 1964 ~~independent adjuster's~~ license upon determining that the
 1965 applicant has paid the applicable license fees required under s.
 1966 624.501 and:

1967 (a) Is a natural person at least 18 years of age.

1968 (b) Has passed to the satisfaction of the department a
 1969 written Florida all-lines adjuster ~~independent adjuster's~~
 1970 examination of the scope prescribed in s. 626.241(6); however,
 1971 the requirement for the examination does not apply to ~~any of the~~
 1972 ~~following:~~

1973 1. An applicant who is licensed as an all-lines ~~a resident~~
 1974 ~~independent~~ adjuster in his or her home state ~~if of residence~~
 1975 ~~when that state has entered into~~ requires the passing of a
 1976 ~~written examination in order to obtain the license and a~~
 1977 reciprocal agreement with the ~~appropriate official of that state~~
 1978 ~~has been entered into by the~~ department; or

1979 2. An applicant who is licensed as a nonresident all-lines
 1980 ~~independent~~ adjuster in a state other than his or her home state
 1981 ~~of residence when the state of licensure requires the passing of~~
 1982 ~~a written examination in order to obtain the license and a~~
 1983 reciprocal agreement with the appropriate official of the state
 1984 of licensure has been entered into with ~~by~~ the department.

1985 (c) Is licensed as an all-lines adjuster and is self-
 1986 appointed or appointed and employed by an independent adjusting
 1987 firm or other independent adjuster, or is an employee of an
 1988 insurer admitted to do business in this state, a wholly-owned

1989 subsidiary of an insurer admitted to do business in this state,
 1990 or other insurers under the common control or ownership of such
 1991 insurer self-employed or associated with or employed by an
 1992 independent adjusting firm or other independent adjuster.
 1993 Applicants licensed as nonresident all-lines independent
 1994 adjusters under this section must be appointed as an independent
 1995 adjuster or company employee adjuster ~~such~~ in accordance with
 1996 ~~the provisions of~~ ss. 626.112 and 626.451. Appointment fees as
 1997 ~~in the amount~~ specified in s. 624.501 must be paid to the
 1998 department in advance. The appointment of a nonresident
 1999 independent adjuster continues ~~shall continue~~ in force until
 2000 suspended, revoked, or otherwise terminated, but is subject to
 2001 biennial renewal or continuation by the licensee in accordance
 2002 with ~~procedures prescribed in~~ s. 626.381 for licensees in
 2003 general.

2004 (d) Is trustworthy and has such business reputation as
 2005 would reasonably ensure ~~assure~~ that he or she will conduct his
 2006 or her business as a nonresident all-lines independent adjuster
 2007 fairly and in good faith and without detriment to the public.

2008 (e) Has had sufficient experience, training, or
 2009 instruction concerning the adjusting of damages or losses under
 2010 insurance contracts, other than life and annuity contracts; is
 2011 sufficiently informed as to the terms and effects of ~~the~~
 2012 ~~provisions of~~ those types of insurance contracts; and possesses
 2013 adequate knowledge of the laws of this state relating to such
 2014 contracts as to enable and qualify him or her to engage in the
 2015 business of insurance adjuster fairly and without injury to the
 2016 public or any member thereof with whom he or she may have

2017 business as an all-lines ~~independent~~ adjuster.

2018 (2) The applicant must ~~shall~~ furnish the following with
 2019 his or her application:

2020 (a) A complete set of his or her fingerprints. The
 2021 applicant's fingerprints must be certified by an authorized law
 2022 enforcement officer.

2023 (b) If currently licensed as an all-lines ~~a resident~~
 2024 ~~independent~~ adjuster in the applicant's home state ~~of residence~~,
 2025 a certificate or letter of authorization from the licensing
 2026 authority of the applicant's home state ~~of residence~~, stating
 2027 that the applicant holds a current license to act as an all-
 2028 lines independent adjuster. The ~~Such~~ certificate or letter of
 2029 authorization must be signed by the insurance commissioner, or
 2030 his or her deputy or the appropriate licensing official, and
 2031 must disclose whether the adjuster has ever had a ~~any~~ license or
 2032 eligibility to hold any license declined, denied, suspended,
 2033 revoked, or placed on probation or whether an administrative
 2034 fine or penalty has been levied against the adjuster and, if so,
 2035 the reason for the action. Such certificate or letter is not
 2036 required if the nonresident applicant's licensing status can be
 2037 verified through the Producer Database maintained by the
 2038 National Association of Insurance Commissioners, its affiliates,
 2039 or subsidiaries.

2040 (c) If the applicant's home state ~~of residence~~ does not
 2041 require licensure as an all-lines ~~independent~~ adjuster and the
 2042 applicant has been licensed as a resident insurance adjuster,
 2043 agent, broker, or other insurance representative in his or her
 2044 home state ~~of residence~~ or any other state within the past 3

2045 | years, a certificate or letter of authorization from the
 2046 | licensing authority stating that the applicant holds or has held
 2047 | a license to act as an insurance adjuster, agent, or other
 2048 | insurance representative. The certificate or letter of
 2049 | authorization must be signed by the insurance commissioner, or
 2050 | his or her deputy or the appropriate licensing official, and
 2051 | must disclose whether the adjuster, agent, or other insurance
 2052 | representative has ever had a ~~any~~ license or eligibility to hold
 2053 | any license declined, denied, suspended, revoked, or placed on
 2054 | probation or whether an administrative fine or penalty has been
 2055 | levied against the adjuster and, if so, the reason for the
 2056 | action. Such certificate or letter is not required if the
 2057 | nonresident applicant's licensing status can be verified through
 2058 | the Producer Database maintained by the National Association of
 2059 | Insurance Commissioners, its affiliates, or subsidiaries.

2060 | (3) The usual and customary records pertaining to
 2061 | transactions under the license of a nonresident all-lines
 2062 | ~~independent~~ adjuster must be retained for at least 3 years after
 2063 | completion of the adjustment and ~~must~~ be made available in this
 2064 | state to the department upon request. The failure of a
 2065 | nonresident all-lines ~~independent~~ adjuster to properly maintain
 2066 | records and make them available to the department upon request
 2067 | constitutes grounds for the immediate suspension of the license
 2068 | issued under this section.

2069 | (4) ~~After licensure as a nonresident independent adjuster,~~
 2070 | As a condition of doing business in this state as a nonresident
 2071 | independent adjuster, the appointee must ~~licensee must~~ annually
 2072 | ~~on or before January 1, on a form prescribed by the department,~~

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2073 submit an affidavit to the department certifying that the
 2074 licensee is familiar with and understands the insurance laws and
 2075 administrative rules of this state and the provisions of the
 2076 contracts negotiated or to be negotiated. Compliance with this
 2077 filing requirement is a condition precedent to the issuance,
 2078 continuation, reinstatement, or renewal of a nonresident
 2079 independent adjuster's appointment.

2080 Section 42. Section 626.8736, Florida Statutes, is amended
 2081 to read:

2082 626.8736 Nonresident independent or public adjusters;
 2083 service of process.—

2084 (1) Each licensed nonresident ~~independent or public~~
 2085 adjuster or all-lines adjuster appointed as an independent
 2086 adjuster shall appoint the Chief Financial Officer and his or
 2087 her successors in office as his or her attorney to receive
 2088 service of legal process issued against such ~~the nonresident~~
 2089 ~~independent or public~~ adjuster in this state, upon causes of
 2090 action arising within this state out of transactions under his
 2091 license and appointment. Service upon the Chief Financial
 2092 Officer as attorney constitutes ~~shall constitute~~ effective legal
 2093 service upon the nonresident independent or public adjuster.

2094 (2) The appointment of the Chief Financial Officer for
 2095 service of process is ~~shall be~~ irrevocable ~~for~~ as long as there
 2096 could be any cause of action against the nonresident ~~independent~~
 2097 ~~or public~~ adjuster or all-lines adjuster appointed as an
 2098 independent adjuster arising out of his or her insurance
 2099 transactions in this state.

2100 (3) Duplicate copies of legal process against the

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2101 nonresident ~~independent or~~ public adjuster or all-lines adjuster
 2102 appointed as an independent adjuster shall be served upon the
 2103 Chief Financial Officer by a person competent to serve a
 2104 summons.

2105 (4) Upon receiving the service, the Chief Financial
 2106 Officer shall ~~forthwith~~ send one of the copies of the process,
 2107 by registered mail with return receipt requested, to the
 2108 defendant nonresident ~~independent or~~ public adjuster or all-
 2109 lines adjuster appointed as an independent adjuster at his or
 2110 her last address of record with the department.

2111 (5) The Chief Financial Officer shall keep a record of the
 2112 day and hour of service upon him or her of all legal process
 2113 received under this section.

2114 Section 43. Subsection (1) of section 626.874, Florida
 2115 Statutes, is amended to read:

2116 626.874 Catastrophe or emergency adjusters.—

2117 (1) In the event of a catastrophe or emergency, the
 2118 department may issue a license, for the purposes and under the
 2119 conditions ~~which it shall fix~~ and for the period of emergency as
 2120 it shall determine, to persons who are residents or nonresidents
 2121 of this state, who are at least 18 years of age, who are United
 2122 States citizens or legal aliens who possess work authorization
 2123 from the United States Bureau of Citizenship and Immigration
 2124 Services, and who are not licensed adjusters under this part but
 2125 who have been designated and certified to it as qualified to act
 2126 as adjusters by all-lines independent resident adjusters, ~~or~~ by
 2127 an authorized insurer, or by a licensed general lines agent to
 2128 adjust claims, losses, or damages under policies or contracts of

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2129 insurance issued by such insurers. The fee for the license is
 2130 ~~shall be~~ as provided in s. 624.501(12)(c).

2131 Section 44. Subsection (1) of section 626.875, Florida
 2132 Statutes, is amended to read:

2133 626.875 Office and records.—

2134 (1) Each appointed ~~Every licensed~~ independent adjuster and
 2135 ~~every~~ licensed public adjuster must ~~shall have and~~ maintain in
 2136 ~~this state~~ a place of business in this state which is accessible
 2137 to the public and keep therein the usual and customary records
 2138 pertaining to transactions under the license. This provision
 2139 does ~~shall~~ not be deemed to prohibit maintenance of such an
 2140 office in the home of the licensee.

2141 Section 45. Section 626.876, Florida Statutes, is amended
 2142 to read:

2143 626.876 Exclusive employment; public adjusters,
 2144 independent adjusters.—

2145 (1) An ~~No~~ individual licensed and appointed as a public
 2146 adjuster may not ~~shall~~ be ~~so~~ employed during the same period by
 2147 more than one public adjuster or public adjuster firm or
 2148 corporation.

2149 (2) An ~~No~~ individual licensed as an all-lines adjuster and
 2150 appointed as an independent adjuster may not ~~shall~~ be ~~so~~
 2151 employed during the same period by more than one independent
 2152 adjuster or independent adjuster firm or corporation.

2153 Section 46. Subsections (5), (6), and (7) of section
 2154 626.927, Florida Statutes, are amended to read:

2155 626.927 Licensing of surplus lines agent.—

2156 ~~(5) The applicant must file and thereafter maintain the~~

2157 ~~bond as required under s. 626.928.~~

2158 (5)~~(6)~~ Examinations as to surplus lines, as required under
 2159 subsections (1) and (2), are ~~shall be~~ subject to the provisions
 2160 of part I as applicable to applicants for licenses in general.
 2161 ~~No such examination shall be required as to persons who held a~~
 2162 ~~Florida surplus lines agent's license as of January 1, 1959,~~
 2163 ~~except when examinations subsequent to issuance of an initial~~
 2164 ~~license are provided for in general under part I.~~

2165 (6)~~(7)~~ An ~~Any~~ individual who has been licensed by the
 2166 department as a surplus lines agent as provided in this section
 2167 may be subsequently appointed without additional written
 2168 examination if his or her application for appointment is filed
 2169 with the department within 48 months after ~~next following~~ the
 2170 date of cancellation or expiration of the prior appointment. The
 2171 department may, ~~in its discretion,~~ require an ~~any~~ individual to
 2172 take and successfully pass an examination as for original
 2173 issuance of license as a condition precedent to the
 2174 reinstatement or continuation of the licensee's current license
 2175 or reinstatement or continuation of the licensee's appointment.

2176 Section 47. Section 626.928, Florida Statutes, is
 2177 repealed.

2178 Section 48. Section 626.933, Florida Statutes, is amended
 2179 to read:

2180 626.933 Collection of tax and service fee.—If the tax or
 2181 service fee payable by a surplus lines agent under the ~~this~~
 2182 Surplus Lines Law is not so paid within the time prescribed, it
 2183 ~~the same~~ shall be recoverable in a suit brought by the
 2184 department against the surplus lines agent ~~and the surety or~~

2185 ~~sureties on the bond filed by the surplus lines agent under s.~~
 2186 ~~626.928.~~ The department may authorize the Florida Surplus Lines
 2187 Service Office to file suit on its behalf. All costs and
 2188 expenses incurred in a suit brought by the office which are not
 2189 recoverable from the agent or surety shall be borne by the
 2190 office.

2191 Section 49. Subsection (1) of section 626.935, Florida
 2192 Statutes, is amended to read:

2193 626.935 Suspension, revocation, or refusal of surplus
 2194 lines agent's license.—

2195 (1) The department shall deny an application for, suspend,
 2196 revoke, or refuse to renew the appointment of a surplus lines
 2197 agent and all other licenses and appointments held by the
 2198 licensee under this code, on ~~upon~~ any of the following grounds:

2199 (a) Removal of the licensee's office from the licensee's
 2200 state of residence.

2201 (b) Removal of the accounts and records of his or her
 2202 surplus lines business from this state or the licensee's state
 2203 of residence during the period when such accounts and records
 2204 are required to be maintained under s. 626.930.

2205 (c) Closure of the licensee's office for ~~a period of~~ more
 2206 than 30 consecutive days.

2207 (d) Failure to make and file his or her affidavit or
 2208 reports when due as required by s. 626.931.

2209 (e) Failure to pay the tax or service fee on surplus lines
 2210 premiums, as provided ~~for~~ in the ~~this~~ Surplus Lines Law.

2211 ~~(f) Failure to maintain the bond as required by s.~~
 2212 ~~626.928.~~

2213 (f) ~~(g)~~ Suspension, revocation, or refusal to renew or
 2214 continue the license or appointment as a general lines agent,
 2215 service representative, or managing general agent.

2216 (g) ~~(h)~~ Lack of qualifications as for an original surplus
 2217 lines agent's license.

2218 (h) ~~(i)~~ Violation of this Surplus Lines Law.

2219 (i) ~~(j)~~ For any other applicable cause for which the
 2220 license of a general lines agent could be suspended, revoked, or
 2221 refused under s. 626.611 or s. 626.621.

2222 Section 50. Paragraph (b) of subsection (1) of section
 2223 627.952, Florida Statutes, is amended to read:

2224 627.952 Risk retention and purchasing group agents.—

2225 (1) Any person offering, soliciting, selling, purchasing,
 2226 administering, or otherwise servicing insurance contracts,
 2227 certificates, or agreements for any purchasing group or risk
 2228 retention group to any resident of this state, either directly
 2229 or indirectly, by the use of mail, advertising, or other means
 2230 of communication, shall obtain a license and appointment to act
 2231 as a resident general lines agent, if a resident of this state,
 2232 or a nonresident general lines agent if not a resident. Any such
 2233 person shall be subject to all requirements of the Florida
 2234 Insurance Code.

2235 (b) Any person required to be licensed and appointed under
 2236 ~~by~~ this subsection, in order to place business through Florida
 2237 eligible surplus lines carriers, must ~~shall~~, if a resident of
 2238 this state, be licensed and appointed as a surplus lines agent.
 2239 ~~Any such person,~~ If not a resident of this state, such person
 2240 must ~~shall~~ be licensed and appointed as a surplus lines agent in

2241 her or his state of residence and ~~shall~~ file and ~~thereafter~~
 2242 maintain a fidelity bond in favor of the people of the State of
 2243 Florida executed by a surety company admitted in this state and
 2244 payable to the State of Florida; ~~provided,~~ however, any
 2245 activities ~~carried out by~~ such nonresident is pursuant to this
 2246 ~~part shall be~~ limited to the provision of insurance for
 2247 purchasing groups. The bond must ~~shall~~ be continuous in form and
 2248 ~~maintained~~ in the amount of not less than \$50,000, aggregate
 2249 liability set out in s. 626.928. The bond must ~~shall~~ remain in
 2250 force and effect until the surety is released from liability by
 2251 the department or until the bond is canceled by the surety. The
 2252 surety may cancel the bond and be released from further
 2253 liability ~~thereunder~~ upon 30 days' prior written notice to the
 2254 department. The cancellation does ~~shall~~ not affect any liability
 2255 incurred or accrued ~~thereunder~~ before the termination of the 30-
 2256 day period. Upon receipt of a notice of cancellation, the
 2257 department shall immediately notify the agent.

2258 Section 51. Subsections (1) and (2) of section 635.051,
 2259 Florida Statutes, are amended to read:

2260 635.051 Licensing and appointment of mortgage guaranty
 2261 insurance agents.—

2262 (1) Effective October 1, 2012, a person may not transact
 2263 mortgage guaranty insurance unless licensed and appointed as a
 2264 credit insurance agent in accordance with the applicable
 2265 provisions of the insurance code. Mortgage guaranty licenses
 2266 held by persons on October 1, 2012, shall be transferred to a
 2267 credit insurance agent license. Persons who wish to obtain a new
 2268 license identification card that reflects this change must

2269 submit the \$5 fee as prescribed in s. 624.501(15). ~~Agents of~~
 2270 ~~mortgage guaranty insurers shall be licensed and appointed and~~
 2271 ~~shall be subject to the same qualifications and requirements~~
 2272 ~~applicable to general lines agents under the laws of this state,~~
 2273 ~~except that:~~

2274 ~~(a) Particular preliminary specialized education or~~
 2275 ~~training is not required of an applicant for such an agent's~~
 2276 ~~license, and continuing education is not required for renewal of~~
 2277 ~~the agent's appointment if, as part of the application for~~
 2278 ~~license and appointment, the insurer guarantees that the~~
 2279 ~~applicant will receive the necessary training to enable him or~~
 2280 ~~her properly to hold himself or herself out to the public as a~~
 2281 ~~mortgage guaranty insurance agent and if the department, in its~~
 2282 ~~discretion, accepts such guaranty;~~

2283 ~~(b) The agent's license and appointment shall be a limited~~
 2284 ~~license, limited to the handling of mortgage guaranty insurance~~
 2285 ~~only; and~~

2286 ~~(c) An examination may be required of an applicant for~~
 2287 ~~such a license if the insurer fails to provide the guaranty~~
 2288 ~~described in paragraph (a).~~

2289 (2) Any general lines agent licensed under chapter 626 is
 2290 qualified to represent a mortgage guaranty insurer without
 2291 additional licensure examination.

2292 Section 52. Subsection (1) of section 648.34, Florida
 2293 Statutes, is amended to read:

2294 648.34 Bail bond agents; qualifications.—

2295 (1) An application for licensure as a bail bond agent must
 2296 be submitted on forms prescribed by the department. The

2297 application must include the applicant's full name; date of
 2298 birth; social security number; residence, business, and mailing
 2299 addresses; contact telephone numbers, including a business
 2300 telephone number; and e-mail address.

2301 Section 53. Subsection (2) of section 648.38, Florida
 2302 Statutes, is amended to read:

2303 648.38 Licensure examination for bail bond agents; time;
 2304 place; fees; scope.—

2305 (2) The department or a person designated by the
 2306 department shall provide ~~mail-written~~ notice of the time and
 2307 place of the examination to each applicant for licensure
 2308 required to take an examination who will be eligible to take the
 2309 examination as of the examination date. The notice shall be e-
 2310 mailed ~~so mailed, postage prepaid, and addressed~~ to the
 2311 applicant at the e-mail ~~his or her~~ address shown on his or her
 2312 application for licensure ~~or at such other address as requested~~
 2313 ~~by the applicant in writing filed with the department prior to~~
 2314 ~~the mailing of the notice.~~ Notice shall be deemed given when so
 2315 mailed.

2316 Section 54. Section 648.385, Florida Statutes, is amended
 2317 to read:

2318 648.385 Continuing education required; application;
 2319 exceptions; requirements; penalties.—

2320 (1) The purpose of this section is to establish
 2321 requirements and standards for continuing education courses for
 2322 persons authorized to write bail bonds in this state.

2323 (2)(a) Each person subject to ~~the provisions of this~~
 2324 chapter must complete a minimum of 14 hours of continuing

2325 education courses every 2 years as specified in s. 626.2815 ~~in~~
 2326 ~~courses approved by the department. Compliance with continuing~~
 2327 ~~education requirements is a condition precedent to the issuance,~~
 2328 ~~continuation, or renewal of any appointment subject to the~~
 2329 ~~provisions of this chapter.~~

2330 (b) ~~A person teaching any approved course of instruction~~
 2331 ~~or lecturing at any approved seminar and attending the entire~~
 2332 ~~course or seminar shall qualify for the same number of classroom~~
 2333 ~~hours as would be granted to a person taking and successfully~~
 2334 ~~completing such course, seminar, or program. Credit shall be~~
 2335 ~~limited to the number of hours actually taught unless a person~~
 2336 ~~attends the entire course or seminar.~~

2337 (c) ~~For good cause shown, the department may grant an~~
 2338 ~~extension of time during which the requirements imposed by this~~
 2339 ~~section may be completed, but such extension of time may not~~
 2340 ~~exceed 1 year.~~

2341 (3)(a) ~~Any bail-related course developed or sponsored by~~
 2342 ~~any authorized insurer or recognized bail bond agents'~~
 2343 ~~association, or any independent study program of instruction,~~
 2344 ~~subject to approval by the department, qualifies for the~~
 2345 ~~equivalency of the number of classroom hours assigned to such~~
 2346 ~~course by the department. However, unless otherwise provided in~~
 2347 ~~this section, continuing education credit may not be credited~~
 2348 ~~toward meeting the requirements of this section unless the~~
 2349 ~~course is provided by classroom instruction or results in a~~
 2350 ~~monitored examination.~~

2351 (b) ~~Each person or entity sponsoring a course for~~
 2352 ~~continuing education credit must furnish, within 30 days after~~

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2353 ~~completion of the course, in a form satisfactory to the~~
2354 ~~department or its designee, a written and certified roster~~
2355 ~~showing the name and license number of all persons successfully~~
2356 ~~completing such course and requesting credit, accompanied by the~~
2357 ~~required fee. The department shall refuse to issue, continue, or~~
2358 ~~renew the appointment of any bail bond agent who has not had the~~
2359 ~~continuing education requirements certified unless the agent has~~
2360 ~~been granted an extension by the department.~~

2361 Section 55. Section 648.421, Florida Statutes, is amended
2362 to read:

2363 648.421 Notice of change of address or telephone number.—
2364 Each licensee under this chapter shall notify in writing the
2365 department, insurer, managing general agent, and the clerk of
2366 each court in which the licensee is registered within 10 working
2367 days after a change in the licensee's principal business address
2368 or telephone number. The licensee shall also notify the
2369 department within 10 working days after a change of the name,
2370 address, or telephone number of each agency or firm for which he
2371 or she writes bonds and any change in the licensee's name, home
2372 address, e-mail address, or telephone number.

2373 Section 56. Except as otherwise expressly provided in this
2374 act, this act shall take effect October 1, 2012.