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LEGISLATIVE ACTION

Senate	.	House
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Floor: WD	.	
03/06/2012 04:52 PM	.	
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Senator Richter moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

626.015 Definitions.—As used in this part:

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

(7) "Home state" means the District of Columbia and any



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14 state or territory of the United States in which an ~~insurance~~  
15 agent or adjuster maintains his or her principal place of  
16 residence or principal place of business and is licensed to act  
17 as an insurance agent or adjuster.

18 Section 2. Subsections (2) and (3) of section 626.0428,  
19 Florida Statutes, are amended to read:

20 626.0428 Agency personnel powers, duties, and limitations.-

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

24 (3) An ~~No~~ employee of an agent or agency may not initiate  
25 contact with any person for the purpose of soliciting insurance  
26 unless licensed and appointed as an ~~a general lines~~ agent or  
27 customer representative. As to title insurance, an employee of  
28 an agent or agency may not initiate contact with any individual  
29 proposed insured for the purpose of soliciting title insurance  
30 unless licensed as a title insurance agent or exempt from such  
31 licensure pursuant to s. 626.8417(4).

32 Section 3. Subsection (1) and paragraph (b) of subsection  
33 (2) of section 626.171, Florida Statutes, are amended to read:

34 626.171 Application for license as an agent, customer  
35 representative, adjuster, service representative, managing  
36 general agent, or reinsurance intermediary.-

37 (1) The department may ~~shall~~ not issue a license as agent,  
38 customer representative, adjuster, service representative,  
39 managing general agent, or reinsurance intermediary to any  
40 person except upon written application ~~therefor~~ filed with the  
41 department ~~it~~, meeting the qualifications for the license  
42 applied for as determined by the department ~~qualification~~



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43 ~~therefor~~, and payment in advance of all applicable fees. ~~The~~ Any  
44 ~~such~~ application must ~~shall~~ be made under the oath of the  
45 applicant and be signed by the applicant. An applicant may  
46 permit a third party to complete, submit, and sign an  
47 application on the applicant's behalf, but is responsible for  
48 ensuring that the information on the application is true and  
49 correct and is accountable for any misstatements or  
50 misrepresentations. The department shall accept the uniform  
51 application for nonresident agent licensing. The department may  
52 adopt revised versions of the uniform application by rule.

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

54 (b) A statement indicating the method the applicant used or  
55 is using to meet any required prelicensing education, knowledge,  
56 experience, or instructional requirements for the type of  
57 license applied for. ~~Proof that he or she has completed or is in~~  
58 ~~the process of completing any required prelicensing course.~~

59  
60 However, the application must contain a statement that an  
61 applicant is not required to disclose his or her race or  
62 ethnicity, gender, or native language, that he or she will not  
63 be penalized for not doing so, and that the department will use  
64 this information exclusively for research and statistical  
65 purposes and to improve the quality and fairness of the  
66 examinations.

67 Section 4. Section 626.191, Florida Statutes, is amended to  
68 read:

69 626.191 Repeated applications.—The failure of an applicant  
70 to secure a license upon ~~an~~ application does ~~shall~~ not preclude  
71 the applicant from applying again. However ~~as many times as~~



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72 ~~desired, but~~ the department may ~~shall~~ not consider ~~give~~  
73 ~~consideration to~~ or accept any further application by the same  
74 applicant individual for a similar license dated or filed within  
75 30 days after ~~subsequent to~~ the date the department denied the  
76 last application, except as provided under ~~in~~ s. 626.281.

77 Section 5. Subsection (2) of section 626.221, Florida  
78 Statutes, is amended to read:

79 626.221 Examination requirement; exemptions.—

80 (2) However, an ~~no such~~ examination is not ~~shall be~~  
81 necessary for ~~in~~ any of the following ~~eases~~:

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

86 (b) An applicant for a limited license as agent for travel  
87 insurance, motor vehicle rental ~~personal accident insurance,~~  
88 ~~baggage and motor vehicle excess liability insurance, credit~~  
89 ~~life or disability~~ insurance, credit insurance, ~~credit property~~  
90 ~~insurance,~~ in-transit and storage personal property insurance,  
91 or portable electronics ~~communications equipment property~~  
92 ~~insurance or communication equipment inland marine~~ insurance  
93 under s. 626.321.

94 (c) In the discretion of the department, an applicant for  
95 reinstatement of license or appointment as an agent, customer  
96 representative, ~~company employee adjuster,~~ or all-lines  
97 ~~independent~~ adjuster whose license has been suspended within the  
98 4 years before ~~prior to~~ the date of application or written  
99 request for reinstatement.

100 (d) An applicant who, within the 4 years before ~~prior to~~



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101 application for license and appointment as an agent, customer  
102 representative, or adjuster, was a full-time salaried employee  
103 of the department who ~~and had continuously been such an employee~~  
104 ~~with~~ responsible insurance duties for at least ~~not less than~~ 2  
105 continuous years and who had been a licensee within the 4 years  
106 before ~~prior to~~ employment by the department with the same class  
107 of license as that being applied for.

108 (e) An applicant ~~A person~~ who has been licensed as an all-  
109 lines adjuster and appointed as an independent adjuster or  
110 company employee adjuster ~~as to all property, casualty, and~~  
111 ~~surety insurances may be licensed and appointed as a company~~  
112 ~~employee adjuster or independent adjuster, as to these kinds of~~  
113 ~~insurance, without additional written examination if an~~  
114 application for licensure is filed with the department within 48  
115 months following the date of cancellation or expiration of the  
116 prior appointment.

117 ~~(f) A person who has been licensed as a company employee~~  
118 ~~adjuster or independent adjuster for motor vehicle, property and~~  
119 ~~easualty, workers' compensation, and health insurance may be~~  
120 ~~licensed as such an adjuster without additional written~~  
121 ~~examination if his or her application for licensure is filed~~  
122 ~~with the department within 48 months after cancellation or~~  
123 ~~expiration of the prior license.~~

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

126 ~~(g)(h)~~ An applicant for a license as a life or health agent  
127 license who has received the designation of chartered life  
128 underwriter (CLU) from the American College of Life Underwriters  
129 and ~~who~~ has been engaged in the insurance business within the



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

132 (h) ~~(i)~~ An applicant for license as a general lines agent,  
133 customer representative, or adjuster who has received the  
134 designation of chartered property and casualty underwriter  
135 (CPCU) from the American Institute for Property and Liability  
136 Underwriters and ~~who~~ has been engaged in the insurance business  
137 within the past 4 years, except that the applicant ~~such an~~  
138 ~~individual~~ may be examined on pertinent provisions of this code.

139 (i) ~~(j)~~ An applicant for license as a customer  
140 representative who has earned the designation of Accredited  
141 Advisor in Insurance (AAI) from the Insurance Institute of  
142 America, the designation of Certified Insurance Counselor (CIC)  
143 from the Society of Certified Insurance Service Counselors, the  
144 designation of Accredited Customer Service Representative (ACSR)  
145 from the Independent Insurance Agents of America, the  
146 designation of Certified Professional Service Representative  
147 (CPSR) from the National Foundation for Certified Professional  
148 Service Representatives, the designation of Certified Insurance  
149 Service Representative (CISR) from the Society of Certified  
150 Insurance Service Representatives, or the designation of  
151 Certified Insurance Representative (CIR) from the National  
152 Association of Christian Catastrophe Insurance Adjusters. Also,  
153 an applicant for license as a customer representative who has  
154 earned an associate degree or bachelor's degree from an  
155 accredited college or university and has completed ~~with~~ at least  
156 9 academic hours of property and casualty insurance curriculum,  
157 or the equivalent, or has earned the designation of Certified  
158 Customer Service Representative (CCSR) from the Florida



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159 Association of Insurance Agents, or the designation of  
160 Registered Customer Service Representative (RCSR) from a  
161 regionally accredited postsecondary institution in this state,  
162 or the designation of Professional Customer Service  
163 Representative (PCSR) from the Professional Career Institute,  
164 whose curriculum has been approved by the department and which  
165 ~~whose curriculum~~ includes comprehensive analysis of basic  
166 property and casualty lines of insurance and testing at least  
167 equal to that of standard department testing for the customer  
168 representative license. The department shall adopt rules  
169 establishing standards for the approval of curriculum.

170 (j) ~~(k)~~ An applicant for license as a resident or  
171 nonresident all-lines ~~an independent or company employee~~  
172 adjuster who has the designation of Accredited Claims Adjuster  
173 (ACA) from a regionally accredited postsecondary institution in  
174 this state, Professional Claims Adjuster (PCA) from the  
175 Professional Career Institute, Professional Property Insurance  
176 Adjuster (PPIA) from the HurriClaim Training Academy, Certified  
177 Adjuster (CA) from ALL LINES Training, or Certified Claims  
178 Adjuster (CCA) from the Association of Property and Casualty  
179 Claims Professionals whose curriculum has been approved by the  
180 department and which ~~whose curriculum~~ includes comprehensive  
181 analysis of basic property and casualty lines of insurance and  
182 testing at least equal to that of standard department testing  
183 for the all-lines adjuster license. The department shall adopt  
184 rules establishing standards for the approval of curriculum.

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

187 1. Has successfully completed the prelicensing examination



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188 requirements in the applicant's previous home state which are  
189 substantially equivalent to the examination requirements in this  
190 state, as determined by the department;

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

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

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

202 1. Has successfully completed prelicensing examination  
203 requirements in the applicant's home state which are  
204 substantially equivalent to the examination requirements in this  
205 state, as determined by the department, as a requirement for  
206 obtaining a resident license in his or her home state;

207 2. Held a general lines agent license, life agent license,  
208 or health agent license before ~~prior to the time~~ a written  
209 examination was required;

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

215 4. Has received the designation of chartered life  
216 underwriter (CLU) from the American College of Life Underwriters





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217 and ~~has~~ been in the insurance business within the past 4 years,  
218 if an applicant for a nonresident license as a life agent or  
219 health agent.

220 Section 6. Subsection (2) of section 626.231, Florida  
221 Statutes, is amended to read:

222 626.231 Eligibility; application for examination.—

223 (2) A person required to take an examination for a license  
224 may ~~be permitted to~~ take an examination before ~~prior to~~  
225 submitting an application for licensure pursuant to s. 626.171  
226 by submitting an application for examination through the  
227 department's Internet website or the website of a person  
228 designated by the department to administer the examination. The  
229 department may require ~~In the application,~~ the applicant to  
230 provide the following information as part of the application  
231 ~~shall set forth:~~

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

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

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

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

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

243 (f) The applicant's native language.

244 (g) The highest level of education achieved by the  
245 applicant.



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

248  
249 However, the application form must contain a statement that an  
250 applicant is not required to disclose his or her race or  
251 ethnicity, gender, or native language, that he or she will not  
252 be penalized for not doing so, and that the department will use  
253 this information exclusively for research and statistical  
254 purposes and to improve the quality and fairness of the  
255 examinations.

256 Section 7. Subsection (6) of section 626.241, Florida  
257 Statutes, is amended to read:

258 626.241 Scope of examination.—

259 (6) In order to reflect the differences between adjusting  
260 claims for an insurer and adjusting claims for an insured, the  
261 department shall create an examination for applicants seeking  
262 licensure as a public adjuster and a separate examination for  
263 applicants seeking licensure as an all-lines ~~a company employee~~  
264 ~~adjuster or independent~~ adjuster.

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

270 ~~(a) Automobile physical damage insurance;~~

271 ~~(b) Property and casualty insurance;~~

272 ~~(c) Workers' compensation insurance; or~~

273 ~~(d) Health insurance.~~

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



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275 insurance or health insurance is not ~~shall be~~ required for  
276 public adjusters.

277 Section 8. Subsection (1) of section 626.251, Florida  
278 Statutes, is amended to read:

279 626.251 Time and place of examination; notice.—

280 (1) The department, or a person designated by the  
281 department, shall provide ~~mail written~~ notice of the time and  
282 place of the examination to each applicant for examination and  
283 each applicant for license required to take an examination who  
284 will be eligible to take the examination as of the examination  
285 date. The notice shall be e-mailed ~~so mailed, postage prepaid,~~  
286 ~~and addressed~~ to the applicant at the e-mail ~~his or her~~ address  
287 shown on the application for license or examination ~~at such~~  
288 ~~other address as requested by the applicant in writing filed~~  
289 ~~with the department prior to the mailing of the notice.~~ Notice  
290 is ~~shall be~~ deemed given when so mailed.

291 Section 9. Section 626.281, Florida Statutes, is amended to  
292 read:

293 626.281 Reexamination.—

294 (1) An ~~Any~~ applicant for license or ~~applicant for~~  
295 examination who has ~~either~~:

296 (a) Taken an examination and failed to make a passing  
297 grade, or

298 (b) Failed to appear for the examination or to take or  
299 complete the examination at the time and place specified in the  
300 notice of the department,

301  
302 may take additional examinations, after filing with the  
303 department or its designee an application for reexamination



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304 together with applicable fees. The failure of an applicant to  
305 pass an examination, ~~or the failure~~ to appear for the  
306 examination, or to take or complete the examination does not  
307 preclude the applicant from taking subsequent examinations.

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

310 (3) ~~(2)~~ The department may require an ~~any~~ individual whose  
311 license as an agent, customer representative, or adjuster has  
312 expired or ~~has~~ been suspended to pass an examination before  
313 ~~prior to~~ reinstating or relicensing the individual as to any  
314 class of license. The examination fee must ~~shall~~ be paid for ~~as~~  
315 ~~to~~ each examination.

316 Section 10. Section 626.2815, Florida Statutes, is amended  
317 to read:

318 626.2815 Continuing education ~~required; application;~~  
319 ~~exceptions; requirements; penalties.~~

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

324 (2) Except as otherwise provided in this section, ~~the~~  
325 ~~provisions of~~ this section applies ~~apply~~ to individuals ~~persons~~  
326 licensed to engage in the sale of insurance or adjustment of  
327 insurance claims in this state for all lines of insurance for  
328 which an examination is required for licensing and to each  
329 insurer, employer, or appointing entity, including, but not  
330 limited to, those created or existing pursuant to s. 627.351.  
331 ~~The provisions of~~ This section does ~~shall~~ not apply to an ~~any~~  
332 individual who holds ~~person holding~~ a license for the sale of



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333 any line of insurance for which an examination is not required  
334 by the laws of this state or who holds a, ~~nor shall the~~  
335 ~~provisions of this section apply to any~~ limited license as a  
336 crop or hail and multiple-peril crop insurance agent ~~the~~  
337 ~~department may exempt by rule.~~ Licenses who are unable to  
338 comply with the continuing education requirements due to active  
339 duty in the military may submit a written request for a waiver  
340 to the department.

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

347 (a) Each licensee ~~person~~ subject to ~~the provisions of this~~  
348 ~~section~~ must complete, ~~as part of his or her required number of~~  
349 ~~continuing education hours~~, 3 hours of continuing education,  
350 approved by the department, every 2 years on the subject matter  
351 of ethics. Each licensed general lines agent and customer  
352 representative ~~subject to this section~~ must complete, ~~as part of~~  
353 ~~his or her required number of continuing education hours~~, 1 hour  
354 of continuing education, approved by the department, every 2  
355 years on the subject matter of premium discounts available on  
356 property insurance policies based on various hurricane  
357 mitigation options and the means for obtaining the discounts.

358 (b) A licensee ~~person~~ who has been licensed for ~~a period of~~  
359 6 or more years must complete 20 hours of continuing education  
360 every 2 years in intermediate or advanced-level courses  
361 prescribed by this section or in other courses approved by the



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362 department.

363 (c) A licensee who has been licensed for 25 years or more  
364 and is a CLU or a CPCU or has a Bachelor of Science degree in  
365 risk management or insurance with evidence of 18 or more  
366 semester hours in upper-level insurance-related courses must  
367 complete 10 hours of continuing education courses every 2 years  
368 in courses prescribed by this section or in other courses  
369 approved by the department.

370 (d) An individual ~~Any person~~ who holds a license as a  
371 customer representative, limited customer representative, title  
372 agent, motor vehicle physical damage and mechanical breakdown  
373 insurance agent, ~~crop or hail and multiple-peril crop insurance~~  
374 ~~agent,~~ or ~~as~~ an industrial fire insurance or burglary insurance  
375 agent and who is not a licensed life or health ~~insurance~~ agent,  
376 must ~~shall be required to~~ complete 10 hours of continuing  
377 education courses every 2 years.

378 (e) An individual ~~Any person~~ who holds a license to solicit  
379 or sell life or health insurance and a license to solicit or  
380 sell property, casualty, surety, or surplus lines insurance must  
381 complete ~~the continuing education requirements by completing~~  
382 courses in life or health insurance for one-half of the total  
383 hours required and courses in property, casualty, surety, or  
384 surplus lines insurance for one-half of the total hours  
385 required. However, a licensee who holds an industrial fire or  
386 burglary insurance license and who is a licensed life or health  
387 agent must ~~shall be required to~~ complete 4 hours of continuing  
388 education courses every 2 years related to industrial fire or  
389 burglary insurance and the remaining number of hours of  
390 continuing education courses ~~required~~ related to life or health



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391 insurance.

392 (f) An individual subject to chapter 648 must complete a  
393 minimum of 14 hours of continuing education courses every 2  
394 years.

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

397 (h) An individual teaching an approved course of  
398 instruction or lecturing at any approved seminar and attending  
399 the entire course or seminar qualifies for the same number of  
400 classroom hours as would be granted to a person taking and  
401 successfully completing such course or seminar. Credit is  
402 limited to the number of hours actually taught unless a person  
403 attends the entire course or seminar. An individual who is an  
404 official of or employed by a governmental entity in this state  
405 and serves as a professor, instructor, or other position or  
406 office, the duties and responsibilities of which are determined  
407 by the department to require monitoring and review of insurance  
408 laws or insurance regulations and practices, is exempt from this  
409 section.

410 (4) ~~(f)1. Except as provided in subparagraph 2.7,~~ Compliance  
411 with continuing education requirements is a condition precedent  
412 to the issuance, continuation, reinstatement, or renewal of any  
413 appointment subject to this section. However:

414 (a) ~~2.a.~~ An appointing entity, except one that appoints  
415 individuals who are employees or exclusive independent  
416 contractors of the appointing entity, may not require, directly  
417 or indirectly, as a condition of such appointment or the  
418 continuation of such appointment, the taking of an approved  
419 course or program by any appointee or potential appointee which



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420 ~~that~~ is not of the appointee's choosing.

421 ~~(b) b.~~ Any entity created or existing pursuant to s. 627.351  
422 may require employees to take training of any type relevant to  
423 their employment but may not require appointees who are not  
424 employees to take any approved course or program unless the  
425 course or program deals solely with the appointing entity's  
426 internal procedures or products or with subjects substantially  
427 unique to the appointing entity.

428 ~~(g) A person teaching any approved course of instruction or~~  
429 ~~lecturing at any approved seminar and attending the entire~~  
430 ~~course or seminar shall qualify for the same number of classroom~~  
431 ~~hours as would be granted to a person taking and successfully~~  
432 ~~completing such course, seminar, or program. Credit shall be~~  
433 ~~limited to the number of hours actually taught unless a person~~  
434 ~~attends the entire course or seminar. Any person who is an~~  
435 ~~official of or employed by any governmental entity in this state~~  
436 ~~and serves as a professor, instructor, or in any other position~~  
437 ~~or office the duties and responsibilities of which are~~  
438 ~~determined by the department to require monitoring and review of~~  
439 ~~insurance laws or insurance regulations and practices shall be~~  
440 ~~exempt from this section.~~

441 ~~(h) Excess classroom hours accumulated during any~~  
442 ~~compliance period may be carried forward to the next compliance~~  
443 ~~period.~~

444 ~~(5) (i)~~ For good cause shown, the department may grant an  
445 extension of time during which the requirements of ~~imposed by~~  
446 this section may be completed, but such extension ~~of time~~ may  
447 not exceed 1 year.

448 ~~(6) (j)~~ A nonresident licensee who must complete continuing





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449 education requirements in his or her home state may use the home  
450 state requirements to also meet this state's continuing  
451 education requirements ~~as well,~~ if the licensee's ~~resident's~~  
452 home state recognizes reciprocity with this state's continuing  
453 education requirements. A nonresident licensee whose home state  
454 does not have a continuing education requirement but is licensed  
455 for the same class of business in another state that has ~~which~~  
456 ~~does have~~ a continuing education requirement may comply with  
457 this section by furnishing proof of compliance with the other  
458 state's requirement if that state has a reciprocal agreement  
459 with this state relative to continuing education. A nonresident  
460 licensee whose home state does not have such continuing  
461 education requirements, and who is not licensed as a nonresident  
462 licensee agent in a state that has continuing education  
463 requirements and reciprocates with this state, must meet the  
464 continuing education requirements of this state.

465 (7) ~~(\*)~~ Any person who holds a license to solicit or sell  
466 life insurance in this state must complete a minimum of 3 hours  
467 in continuing education, approved by the department, on the  
468 subject of suitability in annuity and life insurance  
469 transactions. This requirement does not apply to an agent who  
470 does not have any active life insurance or annuity contracts. In  
471 applying this exemption, the department may require the filing  
472 of a certification attesting that the agent has not sold life  
473 insurance or annuities during the continuing education  
474 compliance cycle in question and does not have any active life  
475 insurance or annuity contracts. A licensee may use the hours  
476 obtained under this paragraph to satisfy the requirement for  
477 continuing education in ethics under paragraph (3) (a).



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478           (8)~~(4)~~ The following courses may be completed in order to  
479 meet the elective continuing education course requirements:

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

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

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

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

489           (e) Any part of the Certified Insurance Counselor program:  
490 21 hours.

491           (f) Any part of the Accredited Advisor in Insurance: 21  
492 hours.

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

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

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

502           (j) Any course, including courses relating to agency  
503 management or errors and omissions, developed or sponsored by an  
504 ~~any~~ authorized insurer or recognized agents' association or  
505 insurance trade association or an ~~any~~ independent study program  
506 of instruction, subject to approval by the department, qualifies



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507 for the equivalency of the number of classroom hours assigned  
508 ~~thereto~~ by the department. However, unless otherwise provided in  
509 this section, continuing education hours may not be credited  
510 toward meeting the requirements of this section unless the  
511 course is provided by classroom instruction or results in a  
512 monitored examination. A monitored examination is not required  
513 for:

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

518 2. An independent study program of instruction presented on  
519 paper or in printed material which ~~that~~ imposes a final closed  
520 book examination that meets the requirements of the department's  
521 rule for self-study courses. The examination may be taken  
522 without a proctor if ~~provided~~ the student presents to the  
523 provider a sworn affidavit certifying that the student did not  
524 consult any written materials or receive outside assistance of  
525 any kind or from any person, directly or indirectly, while  
526 taking the examination. If the student is an employee of an  
527 agency or corporate entity, the student's supervisor or a  
528 manager or owner of the agency or corporate entity must also  
529 sign the sworn affidavit. If the student is self-employed, a  
530 sole proprietor, or a partner, or if the examination is  
531 administered online, the sworn affidavit must also be signed by  
532 a disinterested third party. The sworn affidavit must be  
533 received by the approved provider before ~~prior to~~ reporting  
534 continuing education credits to the department.

535 (9) ~~(\*)~~ Each person or entity sponsoring a course for



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536 continuing education credit must furnish, within 21 ~~30~~ days  
537 after completion of the course, in a form satisfactory to the  
538 department or its designee, a ~~written and certified~~ roster  
539 showing the name and license number of all persons successfully  
540 completing such course and requesting credit, ~~accompanied by the~~  
541 ~~required fee.~~

542 (10) ~~(5)~~ The department may immediately terminate or shall  
543 refuse to renew the appointment of an any agent or adjuster who  
544 has been notified by the department that who has not had his or  
545 her continuing education requirements have not been certified,  
546 unless the agent or adjuster has been granted an extension or  
547 waiver by the department. The department may not issue a new  
548 appointment of the same or similar type, ~~with any insurer,~~ to a  
549 licensee ~~an agent~~ who was denied a renewal appointment for  
550 failing failure to complete continuing education as required  
551 until the licensee ~~agent~~ completes his or her continuing  
552 education requirement.

553 ~~(6) (a) There is created an 11-member continuing education~~  
554 ~~advisory board to be appointed by the Chief Financial Officer.~~  
555 ~~Appointments shall be for terms of 4 years. The purpose of the~~  
556 ~~board is to advise the department in determining standards by~~  
557 ~~which courses may be evaluated and categorized as basic,~~  
558 ~~intermediate, or advanced. The board shall submit~~  
559 ~~recommendations to the department of changes needed in such~~  
560 ~~criteria not less frequently than every 2 years. The department~~  
561 ~~shall require all approved course providers to submit courses~~  
562 ~~for approval to the department using the criteria. All~~  
563 ~~materials, brochures, and advertisements related to the approved~~  
564 ~~courses must specify the level assigned to the course.~~



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565           ~~(b) The board members shall be appointed as follows:~~  
566           ~~1. Seven members representing agents of which at least one~~  
567 ~~must be a representative from each of the following~~  
568 ~~organizations: the Florida Association of Insurance Agents; the~~  
569 ~~Florida Association of Insurance and Financial Advisors; the~~  
570 ~~Professional Insurance Agents of Florida, Inc.; the Florida~~  
571 ~~Association of Health Underwriters; the Specialty Agents'~~  
572 ~~Association; the Latin American Agents' Association; and the~~  
573 ~~National Association of Insurance Women. Such board members must~~  
574 ~~possess at least a bachelor's degree or higher from an~~  
575 ~~accredited college or university with major coursework in~~  
576 ~~insurance, risk management, or education or possess the~~  
577 ~~designation of CLU, CPCU, ChFC, CFP, AAI, or CIC. In addition,~~  
578 ~~each member must possess 5 years of classroom instruction~~  
579 ~~experience or 5 years of experience in the development or design~~  
580 ~~of educational programs or 10 years of experience as a licensed~~  
581 ~~resident agent. Each organization may submit to the department a~~  
582 ~~list of recommendations for appointment. If one organization~~  
583 ~~does not submit a list of recommendations, the Chief Financial~~  
584 ~~Officer may select more than one recommended person from a list~~  
585 ~~submitted by other eligible organizations.~~  
586           ~~2. Two members representing insurance companies at least~~  
587 ~~one of whom must represent a Florida Domestic Company and one of~~  
588 ~~whom must represent the Florida Insurance Council. Such board~~  
589 ~~members must be employed within the training department of the~~  
590 ~~insurance company. At least one such member must be a member of~~  
591 ~~the Society of Insurance Trainers and Educators.~~  
592           ~~3. One member representing the general public who is not~~  
593 ~~directly employed in the insurance industry. Such board member~~



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594 ~~must possess a minimum of a bachelor's degree or higher from an~~  
595 ~~accredited college or university with major coursework in~~  
596 ~~insurance, risk management, training, or education.~~

597 ~~4. One member, appointed by the Chief Financial Officer,~~  
598 ~~who represents the department.~~

599 ~~(c) The members of the board shall serve at the pleasure of~~  
600 ~~the Chief Financial Officer. Each board member shall be entitled~~  
601 ~~to reimbursement for expenses pursuant to s. 112.061. The board~~  
602 ~~shall designate one member as chair. The board shall meet at the~~  
603 ~~call of the chair or the Chief Financial Officer.~~

604 ~~(11)-(7)~~ The department may contract services relative to  
605 the administration of the continuing education program to a  
606 private entity. The contract shall be procured as a ~~contract for~~  
607 ~~a contractual service pursuant to s. 287.057.~~

608 Section 11. Effective October 1, 2014, subsections (3) and  
609 (7) of section 626.2815, Florida Statutes, as amended by this  
610 act, are amended, and subsections (8) through (11) of that  
611 section are redesignated as subsections (7) through (10),  
612 respectively, to read:

613 626.2815 Continuing education requirements.—

614 (3) Each licensee except a title insurance agent ~~subject to~~  
615 ~~this section must, except as set forth in paragraphs (b), (c),~~  
616 ~~(d), and (f), complete a 5-hour update course every 2 years~~  
617 which is specific to the license held by the licensee. The  
618 course must be developed and offered by providers and approved  
619 by the department. The content of the course must address all  
620 lines of insurance for which examination and licensure are  
621 required and include the following subject areas: insurance law  
622 updates, ethics for insurance professionals, disciplinary trends



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623 and case studies, industry trends, premium discounts,  
624 determining suitability of products and services, and other  
625 similar insurance-related topics the department determines are  
626 relevant to legally and ethically carrying out the  
627 responsibilities of the license granted. A licensee who holds  
628 multiple insurance licenses must complete an update course that  
629 is specific to at least one of the licenses held. Except as  
630 otherwise specified, any remaining required hours of continuing  
631 education are elective and may consist of any continuing  
632 education course approved by the department under this section  
633 ~~minimum of 24 hours of continuing education courses every 2~~  
634 ~~years in basic or higher-level courses prescribed by this~~  
635 ~~section or in other courses approved by the department.~~

636 (a) Except as provided in paragraphs (b), (c), (d), (e),  
637 and (i), each licensee must also complete 19 3 hours of elective  
638 continuing education courses, approved by the department, every  
639 ~~2 years on the subject matter of ethics. Each licensed general~~  
640 ~~lines agent and customer representative must complete 1 hour of~~  
641 ~~continuing education, approved by the department, every 2 years~~  
642 ~~on the subject matter of premium discounts available on property~~  
643 ~~insurance policies based on various hurricane mitigation options~~  
644 ~~and the means for obtaining the discounts.~~

645 (b) A licensee who has been licensed for 6 or more years  
646 must also complete a minimum of 15 20 hours of elective  
647 continuing education every 2 years in intermediate or advanced-  
648 ~~level courses prescribed by this section or in other courses~~  
649 ~~approved by the department.~~

650 (c) A licensee who has been licensed for 25 years or more  
651 and is a CLU or a CPCU or has a Bachelor of Science degree in



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652 risk management or insurance with evidence of 18 or more  
653 semester hours in ~~upper-level~~ insurance-related courses must  
654 also complete a minimum of 5 ~~10~~ hours of elective continuing  
655 education courses every 2 years ~~in courses prescribed by this~~  
656 ~~section or in other courses approved by the department.~~

657 (d) An individual who holds a license as a customer  
658 representative, limited customer representative, ~~title agent,~~  
659 motor vehicle physical damage and mechanical breakdown insurance  
660 agent, or an industrial fire insurance or burglary insurance  
661 agent and who is not a licensed life or health agent, must also  
662 complete a minimum of 5 ~~10~~ hours of continuing education courses  
663 every 2 years.

664 ~~(e) An individual who holds a license to solicit or sell~~  
665 ~~life or health insurance and a license to solicit or sell~~  
666 ~~property, casualty, surety, or surplus lines insurance must~~  
667 ~~complete courses in life or health insurance for one-half of the~~  
668 ~~total hours required and courses in property, casualty, surety,~~  
669 ~~or surplus lines insurance for one-half of the total hours~~  
670 ~~required. However, a licensee who holds an industrial fire or~~  
671 ~~burglary insurance license and who is a licensed life or health~~  
672 ~~agent must complete 4 hours of continuing education courses~~  
673 ~~every 2 years related to industrial fire or burglary insurance~~  
674 ~~and the remaining number of hours of continuing education~~  
675 ~~courses related to life or health insurance.~~

676 (e)-(f) The 5-hour update course and a minimum of 9 ~~14~~ hours  
677 of elective continuing education courses every 2 years.

678 (f) Elective continuing education courses for public  
679 adjusters must be specifically designed for public adjusters and  
680 approved by the department. Notwithstanding this subsection,





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681 public adjusters for workers' compensation insurance or health  
682 insurance are not required to take continuing education courses  
683 pursuant to this section.

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

686 (h) An individual teaching an approved course of  
687 instruction or lecturing at any approved seminar and attending  
688 the entire course or seminar qualifies for the same number of  
689 classroom hours as would be granted to a person taking and  
690 successfully completing such course or seminar. Credit is  
691 limited to the number of hours actually taught unless a person  
692 attends the entire course or seminar. An individual who is an  
693 official of or employed by a governmental entity in this state  
694 and serves as a professor, instructor, or other position or  
695 office, the duties and responsibilities of which are determined  
696 by the department to require monitoring and review of insurance  
697 laws or insurance regulations and practices, is exempt from this  
698 section.

699 (i) For compliance periods beginning on or after October 1,  
700 2014, any person who holds a license as a title insurance agent  
701 must complete a minimum of 10 hours of continuing education  
702 credit every 2 years in title insurance and escrow management  
703 specific to this state and approved by the department, which  
704 shall include at least 3 hours of continuing education on the  
705 subject matter of ethics, rules, or compliance with state and  
706 federal regulations relating specifically to title insurance and  
707 closing services.

708 ~~(7) Any person who holds a license to solicit or sell life~~  
709 ~~insurance in this state must complete a minimum of 3 hours in~~



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710 ~~continuing education, approved by the department, on the subject~~  
711 ~~of suitability in annuity and life insurance transactions. This~~  
712 ~~requirement does not apply to an agent who does not have any~~  
713 ~~active life insurance or annuity contracts. In applying this~~  
714 ~~exemption, the department may require the filing of a~~  
715 ~~certification attesting that the agent has not sold life~~  
716 ~~insurance or annuities during the continuing education~~  
717 ~~compliance cycle in question and does not have any active life~~  
718 ~~insurance or annuity contracts. A licensee may use the hours~~  
719 ~~obtained under this paragraph to satisfy the requirement for~~  
720 ~~continuing education in ethics under paragraph (3) (a).~~

721 Section 12. Subsections (1) and (2) of section 626.292,  
722 Florida Statutes, are amended to read:

723 626.292 Transfer of license from another state.—

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

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

731 (a) The individual must ~~shall~~ become a resident of this  
732 state.

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

736 (c) The individual must ~~shall~~ submit a completed  
737 application for this state which is received by the department  
738 within 90 days after the date the individual became a resident



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739 of this state, along with payment of the applicable fees set  
740 forth in s. 624.501 and submission of the following documents:

741 1. A certification issued by the appropriate official of  
742 the applicant's home state identifying the type of license and  
743 lines of authority under the license and stating that, at the  
744 time the license from the home state was canceled, the applicant  
745 was in good standing in that state or that the state's Producer  
746 Database records, maintained by the National Association of  
747 Insurance Commissioners, its affiliates, or subsidiaries,  
748 indicate that the agent or all-lines adjuster is or was licensed  
749 in good standing for the line of authority requested.

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

752 (d) The individual must ~~shall~~ satisfy prelicensing  
753 education requirements in this state, unless the completion of  
754 prelicensing education requirements was a prerequisite for  
755 licensure in the other state and the prelicensing education  
756 requirements in the other state are substantially equivalent to  
757 the prelicensing requirements of this state as determined by the  
758 department. This paragraph does not apply to all-lines  
759 adjusters.

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

762 Section 13. Subsections (2) and (3) of section 626.311,  
763 Florida Statutes, are amended to read:

764 626.311 Scope of license.—

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



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768           (3) Except with respect ~~as~~ to a limited license as a travel  
769 ~~personal-accident~~ insurance agent, the license of a health agent  
770 covers ~~shall cover~~ all kinds of health insurance, and such ~~no~~  
771 license may not ~~shall~~ be ~~issued~~ limited to a particular class of  
772 health insurance.

773           Section 14. Subsections (1) and (4) of section 626.321,  
774 Florida Statutes, are amended to read:

775           626.321 Limited licenses.—

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

781           (a) *Motor vehicle physical damage and mechanical breakdown*  
782 *insurance.*—License covering insurance against only the loss of  
783 or damage to a any motor vehicle that ~~which~~ is designed for use  
784 upon a highway, including trailers and semitrailers designed for  
785 use with such vehicles. Such license also covers insurance  
786 against the failure of an original or replacement part to  
787 perform any function for which it was designed. ~~The applicant~~  
788 ~~for such a license shall pass a written examination covering~~  
789 ~~motor vehicle physical damage insurance and mechanical breakdown~~  
790 ~~insurance.~~ A licensee under this paragraph may not ~~No individual~~  
791 ~~while so licensed shall~~ hold a license as an agent for ~~as to~~ any  
792 other or additional kind or class of insurance coverage except  
793 ~~as to~~ a limited license for credit insurance ~~life and disability~~  
794 ~~insurances~~ as provided in paragraph (e). Effective October 1,  
795 2012, all licensees holding such limited license and appointment  
796 may renew the license and appointment, but no new or additional



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797 licenses may be issued pursuant to this paragraph, and a  
798 licensee whose limited license under this paragraph has been  
799 terminated, suspended, or revoked may not have such license  
800 reinstated.

801 (b) *Industrial fire insurance or burglary insurance.*—  
802 License covering only industrial fire insurance or burglary  
803 insurance. The applicant for such a license must ~~shall~~ pass a  
804 written examination covering such insurance. A licensee under  
805 this paragraph may not ~~No individual while so licensed shall~~  
806 hold a license as an agent for ~~as to~~ any other or additional  
807 kind or class of insurance coverage except for ~~as to~~ life  
808 insurance and health insurance ~~insurances.~~

809 (c) *Travel insurance.*—License covering only policies and  
810 certificates of travel insurance, which are subject to review by  
811 the office under s. 624.605(1)(q). Policies and certificates of  
812 travel insurance may provide coverage for risks incidental to  
813 travel, planned travel, or accommodations while traveling,  
814 including, but not limited to, accidental death and  
815 dismemberment of a traveler; trip cancellation, interruption, or  
816 delay; loss of or damage to personal effects or travel  
817 documents; baggage delay; emergency medical travel or evacuation  
818 of a traveler; or medical, surgical, and hospital expenses  
819 related to an illness or emergency of a traveler. ~~Any~~ Such  
820 policy or certificate may be issued for terms longer than 60  
821 days, but ~~each policy or certificate~~, other than a policy or  
822 certificate providing coverage for air ambulatory services only,  
823 each policy or certificate must be limited to coverage for  
824 travel or use of accommodations of no longer than 60 days. The  
825 license may be issued only:



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826           1. To a full-time salaried employee of a common carrier or  
827 a full-time salaried employee or owner of a transportation  
828 ticket agency and may authorize the sale of such ticket policies  
829 only in connection with the sale of transportation tickets, or  
830 to the full-time salaried employee of such an agent. ~~No~~ Such  
831 policy may not ~~shall~~ be for a ~~duration of~~ more than 48 hours or  
832 more than ~~for~~ the duration of a specified one-way trip or round  
833 trip.

834           2. To an entity or individual that is:

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

837           b. An exchange company operating an exchange program  
838 approved under chapter 721;

839           c. A managing entity operating a timeshare plan approved  
840 under chapter 721;

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

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

844

845 A licensee shall require each employee who offers policies or  
846 certificates under this subparagraph to receive initial training  
847 from a general lines agent or an insurer authorized under  
848 chapter 624 to transact insurance within this state. For an  
849 entity applying for a license as a travel insurance agent, the  
850 fingerprinting requirement of this section applies only to the  
851 president, secretary, and treasurer and to any other officer or  
852 person who directs or controls the travel insurance operations  
853 of the entity.

854           (d) *Motor vehicle rental insurance.*-



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855           1. License covering only insurance of the risks set forth  
856 in this paragraph when offered, sold, or solicited with and  
857 incidental to the rental or lease of a motor vehicle and which  
858 applies only to the motor vehicle that is the subject of the  
859 lease or rental agreement and the occupants of the motor  
860 vehicle:

861           a. Excess motor vehicle liability insurance providing  
862 coverage in excess of the standard liability limits provided by  
863 the lessor in the lessor's lease to a person renting or leasing  
864 a motor vehicle from the licensee's employer for liability  
865 arising in connection with the negligent operation of the leased  
866 or rented motor vehicle.

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

869           c. Insurance covering the loss of or damage to baggage,  
870 personal effects, or travel documents of a person renting or  
871 leasing a motor vehicle.

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

875           2. Insurance under a motor vehicle rental insurance license  
876 may be issued only if the lease or rental agreement is for no  
877 more than 60 days, the lessee is not provided coverage for more  
878 than 60 consecutive days per lease period, and the lessee is  
879 given written notice that his or her personal insurance policy  
880 providing coverage on an owned motor vehicle may provide  
881 coverage of such risks and that the purchase of the insurance is  
882 not required in connection with the lease or rental of a motor  
883 vehicle. If the lease is extended beyond 60 days, the coverage



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884 may be extended one time only for a period not to exceed an  
885 additional 60 days. Insurance may be provided to the lessee as  
886 an additional insured on a policy issued to the licensee's  
887 employer.

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

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

898 b. The application for licensure must list the name,  
899 address, and phone number for each office, branch office, or  
900 place of business that is to be covered by the license. The  
901 licensee shall notify the department of the name, address, and  
902 phone number of any new location that is to be covered by the  
903 license before the new office, branch office, or place of  
904 business engages in the sale of insurance pursuant to this  
905 paragraph. The licensee must ~~shall~~ notify the department within  
906 30 days after closing or terminating an office, branch office,  
907 or place of business. Upon receipt of the notice, the department  
908 shall delete the office, branch office, or place of business  
909 from the license.

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

912 (e) ~~Credit life or disability insurance.~~—License covering





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913 ~~only credit life, credit or disability insurance, credit~~  
914 ~~property, credit unemployment, involuntary unemployment,~~  
915 ~~mortgage life, mortgage guaranty, mortgage disability,~~  
916 ~~guaranteed automobile protection (GAP) insurance, and any other~~  
917 ~~form of insurance offered in connection with an extension of~~  
918 ~~credit which is limited to partially or wholly extinguishing a~~  
919 ~~credit obligation that the department determines should be~~  
920 ~~designated a form of limited line credit insurance. Effective~~  
921 ~~October 1, 2012, all valid licenses held by persons for any of~~  
922 ~~the lines of insurance listed in this paragraph shall be~~  
923 ~~converted to a credit insurance license. Licensees who wish to~~  
924 ~~obtain a new license reflecting such change must request a~~  
925 ~~duplicate license and pay a \$5 fee as specified in s.~~  
926 ~~624.501(15). The license may be issued only to an individual~~  
927 ~~employed by a life or health insurer as an officer or other~~  
928 ~~salaries or commissioned representative, to an individual~~  
929 ~~employed by or associated with a lending or financial~~  
930 ~~institution or creditor, or to a lending or financial~~  
931 ~~institution or creditor, and may authorize the sale of such~~  
932 ~~insurance only with respect to borrowers or debtors of such~~  
933 ~~lending or financing institution or creditor. However, only the~~  
934 ~~individual or entity whose tax identification number is used in~~  
935 ~~receiving or is credited with receiving the commission from the~~  
936 ~~sale of such insurance shall be the licensed agent of the~~  
937 ~~insurer. No individual while so licensed shall hold a license as~~  
938 ~~an agent as to any other or additional kind or class of life or~~  
939 ~~health insurance coverage. An entity holding a limited license~~  
940 ~~under this paragraph is also authorized to sell credit insurance~~  
941 ~~and credit property insurance.~~



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942           ~~(f) Credit insurance.~~ License covering only credit  
943 insurance, as such insurance is defined in s. 624.605(1)(i), and  
944 no individual or entity so licensed shall, during the same  
945 period, hold a license as an agent as to any other or additional  
946 kind of life or health insurance with the exception of credit  
947 life or disability insurance as defined in paragraph (e). The  
948 same licensing provisions as outlined in paragraph (e) apply to  
949 entities licensed as credit insurance agents under this  
950 paragraph.

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

957           (f)(h) Crop hail and multiple-peril crop insurance.—License  
958 for insurance covering crops subject to unfavorable weather  
959 conditions, fire or lightening, flood, hail, insect infestation,  
960 disease, or other yield-reducing conditions or perils which is  
961 provided by the private insurance market, or which is subsidized  
962 by the Federal Group Insurance Corporation including multi-peril  
963 crop insurance only ~~crop hail and multiple-peril crop insurance.~~  
964 Notwithstanding any other provision of law, the limited license  
965 may be issued to a bona fide salaried employee of an association  
966 chartered under the Farm Credit Act of 1971, 12 U.S.C. ss. 2001  
967 et seq., who satisfactorily completes the examination prescribed  
968 by the department pursuant to s. 626.241(5). The ~~limited~~ agent  
969 must be appointed by, and his or her limited license requested  
970 by, a licensed general lines agent. All business transacted by



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971 the ~~limited~~ agent must be on ~~shall be in~~ behalf of, in the name  
972 of, and countersigned by the agent by whom he or she is  
973 appointed. Sections 626.561 and 626.748, relating to records,  
974 apply to all business written pursuant to this section. The  
975 ~~limited~~ licensee may be appointed by and licensed for only one  
976 general lines agent or agency.

977 ~~(g)(i) In-transit and storage personal property insurance;~~  
978 ~~communications equipment property insurance, communications~~  
979 ~~equipment inland marine insurance, and communications equipment~~  
980 ~~service warranty agreement sales.-~~

981 1. A License for insurance covering only ~~the insurance of~~  
982 personal property not held for resale, covering the risks of  
983 transportation or storage in rented or leased motor vehicles,  
984 trailers, or self-service storage facilities, ~~as the latter are~~  
985 defined in s. 83.803. Such license, may be issued, without  
986 examination, only to employees or authorized representatives of  
987 lessors who rent or lease motor vehicles, trailers, or self-  
988 service storage facilities and who are authorized by an insurer  
989 to issue certificates or other evidences of insurance to lessees  
990 of such motor vehicles, trailers, or self-service storage  
991 facilities under an insurance policy issued to the lessor. A  
992 person licensed under this paragraph must ~~shall~~ give a  
993 prospective purchaser of in-transit or storage personal property  
994 insurance written notice that his or her homeowner's policy may  
995 provide coverage for the loss of personal property and that the  
996 purchase of such insurance is not required under the lease  
997 terms.

998 2. ~~A license covering only communications equipment, for~~  
999 ~~the loss, theft, mechanical failure, malfunction of or damage~~



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1000 ~~to, communications equipment. The license may be issued only to:~~  
1001 ~~a. Employees or authorized representatives of a licensed~~  
1002 ~~general lines agent;~~  
1003 ~~b. The lead business location of a retail vendor of~~  
1004 ~~communications equipment and its branch locations; or~~  
1005 ~~c. Employees, agents, or authorized representatives of a~~  
1006 ~~retail vendor of communications equipment.~~  
1007  
1008 ~~The license authorizes the sale of such policies, or~~  
1009 ~~certificates under a group master policy, only with respect to~~  
1010 ~~the sale of, or provision of communications service for,~~  
1011 ~~communications equipment. A general lines agent is not required~~  
1012 ~~to obtain a license under this subparagraph to offer or sell~~  
1013 ~~communications equipment property insurance or communication~~  
1014 ~~equipment inland marine insurance. The license also authorizes~~  
1015 ~~sales of service warranty agreements covering only~~  
1016 ~~communications equipment to the same extent as if licensed under~~  
1017 ~~s. 634.419 or s. 634.420. The provisions of this chapter~~  
1018 ~~requiring submission of fingerprints do not apply to~~  
1019 ~~communications equipment licenses issued to qualified entities~~  
1020 ~~under this subparagraph. Licensees offering policies under this~~  
1021 ~~subparagraph must receive initial training from, and have a~~  
1022 ~~contractual relationship with, a general lines agent. For the~~  
1023 ~~purposes of this subparagraph, the term "communications~~  
1024 ~~equipment" means handsets, pagers, personal digital assistants,~~  
1025 ~~portable computers, automatic answering devices, and other~~  
1026 ~~devices or accessories used to originate or receive~~  
1027 ~~communications signals or service, and includes services related~~  
1028 ~~to the use of such devices, such as consumer access to a~~



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1029 ~~wireless network; however, the term does not include~~  
1030 ~~telecommunications switching equipment, transmission wires, cell~~  
1031 ~~site transceiver equipment, or other equipment and systems used~~  
1032 ~~by telecommunications companies to provide telecommunications~~  
1033 ~~service to consumers. A branch location of a retail vendor of~~  
1034 ~~communications equipment licensed pursuant to paragraph (2) (b)~~  
1035 ~~may, in lieu of obtaining an appointment from an insurer or~~  
1036 ~~warranty association as provided in paragraph (2) (c), obtain a~~  
1037 ~~single appointment from the associated lead business location~~  
1038 ~~licensee licensed under paragraph (2) (a) and pay the prescribed~~  
1039 ~~appointment fee under s. 624.501 provided the lead business~~  
1040 ~~location has a single appointment from each insurer or warranty~~  
1041 ~~association represented and such appointment provides that it~~  
1042 ~~applies to the lead business location and all of its branch~~  
1043 ~~locations. Any branch location individually appointed by an~~  
1044 ~~insurer under paragraph (2) (c) prior to January 1, 2006, may~~  
1045 ~~replace its appointments with an appointment from its lead~~  
1046 ~~location at no charge. Branch location appointments shall be~~  
1047 ~~renewed on the first annual anniversary of licensure of the lead~~  
1048 ~~business location occurring more than 24 months after the~~  
1049 ~~initial appointment date and every 24 months thereafter.~~  
1050 ~~Notwithstanding s. 624.501, after July 1, 2006, the renewal fee~~  
1051 ~~applicable to such branch location appointments shall be \$30 per~~  
1052 ~~appointment.~~

1053 (h) Portable electronics insurance.—License for property  
1054 insurance or inland marine insurance that covers only loss,  
1055 theft, mechanical failure, malfunction, or damage for portable  
1056 electronics.

1057 1. The license may be issued only to:



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1058       a. Employees or authorized representatives of a licensed  
1059 general lines agent; or  
1060       b. The lead business location of a retail vendor that sells  
1061 portable electronics insurance. The lead business location must  
1062 have a contractual relationship with a general lines agent.  
1063       2. Employees or authorized representatives of a licensee  
1064 under subparagraph 1. may sell or offer for sale portable  
1065 electronics coverage without being subject to licensure as an  
1066 insurance agent if:  
1067       a. Such insurance is sold or offered for sale at a licensed  
1068 location or at one of the licensee's branch locations if the  
1069 branch location is appointed by the licensed lead business  
1070 location or its appointing insurers;  
1071       b. The insurer issuing the insurance directly supervises or  
1072 appoints a general lines agent to supervise the sale of such  
1073 insurance, including the development of a training program for  
1074 the employees and authorized representatives of vendors that are  
1075 directly engaged in the activity of selling or offering the  
1076 insurance; and  
1077       c. At each location where the insurance is offered,  
1078 brochures or other written materials that provide the  
1079 information required by this subparagraph are made available to  
1080 all prospective customers. The brochures or written materials  
1081 may include information regarding portable electronics  
1082 insurance, service warranty agreements, or other incidental  
1083 services or benefits offered by a licensee.  
1084       3. Individuals not licensed to sell portable electronics  
1085 insurance may not be paid commissions based on the sale of such  
1086 coverage. However, a licensee who uses a compensation plan for



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1087 employees and authorized representatives which includes  
1088 supplemental compensation for the sale of noninsurance products,  
1089 in addition to a regular salary or hourly wages, may include  
1090 incidental compensation for the sale of portable electronics  
1091 insurance as a component of the overall compensation plan.

1092 4. Brochures or other written materials related to portable  
1093 electronics insurance must:

1094 a. Disclose that such insurance may duplicate coverage  
1095 already provided by a customer's homeowners' insurance policy,  
1096 renters' insurance policy, or other source of coverage;

1097 b. State that enrollment in insurance coverage is not  
1098 required in order to purchase or lease portable electronics or  
1099 services;

1100 c. Summarize the material terms of the insurance coverage,  
1101 including the identity of the insurer, the identity of the  
1102 supervising entity, the amount of any applicable deductible and  
1103 how it is to be paid, the benefits of coverage, and key terms  
1104 and conditions of coverage, such as whether portable electronics  
1105 may be repaired or replaced with similar make and model  
1106 reconditioned or nonoriginal manufacturer parts or equipment;

1107 d. Summarize the process for filing a claim, including a  
1108 description of how to return portable electronics and the  
1109 maximum fee applicable if the customer fails to comply with  
1110 equipment return requirements; and

1111 e. State that an enrolled customer may cancel coverage at  
1112 any time and that the person paying the premium will receive a  
1113 refund of any unearned premium.

1114 5. A licensed and appointed general lines agent is not  
1115 required to obtain a portable electronics insurance license to



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1116 offer or sell portable electronics insurance at locations  
1117 already licensed as an insurance agency, but may apply for a  
1118 portable electronics insurance license for branch locations not  
1119 otherwise licensed to sell insurance.

1120 6. A portable electronics license authorizes the sale of  
1121 individual policies or certificates under a group or master  
1122 insurance policy. The license also authorizes the sale of  
1123 service warranty agreements covering only portable electronics  
1124 to the same extent as if licensed under s. 634.419 or s.  
1125 634.420.

1126 7. A licensee may bill and collect the premium for the  
1127 purchase of portable electronics insurance provided that:

1128 a. If the insurance is included with the purchase or lease  
1129 of portable electronics or related services, the licensee  
1130 clearly and conspicuously discloses that insurance coverage is  
1131 included with the purchase. Disclosure of the stand-alone cost  
1132 of the premium for same or similar insurance must be made on the  
1133 customer's bill and in any marketing materials made available at  
1134 the point of sale. If the insurance is not included, the charge  
1135 to the customer for the insurance must be separately itemized on  
1136 the customer's bill.

1137 b. Premiums are incidental to other fees collected, are  
1138 maintained in a manner that is readily identifiable, and are  
1139 accounted for and remitted to the insurer or supervising entity  
1140 within 60 days of receipt. Licensees are not required to  
1141 maintain such funds in a segregated account.

1142 c. All funds received by a licensee from an enrolled  
1143 customer for the sale of the insurance are considered funds held  
1144 in trust by the licensee in a fiduciary capacity for the benefit





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1145 of the insurer. Licensees may receive compensation for billing  
1146 and collection services.

1147 8. Notwithstanding any other provision of law, the terms  
1148 for the termination or modification of coverage under a policy  
1149 of portable electronics insurance are those set forth in the  
1150 policy.

1151 9. Notice or correspondence required by the policy, or  
1152 otherwise required by law, may be provided by electronic means  
1153 if the insurer or licensee maintains proof that the notice or  
1154 correspondence was sent. Such notice or correspondence may be  
1155 sent on behalf of the insurer or licensee by the general lines  
1156 agent appointed by the insurer to supervise the administration  
1157 of the program. For purposes of this subparagraph, an enrolled  
1158 customer's provision of an electronic mail address to the  
1159 insurer or licensee is deemed to be consent to receive notices  
1160 and correspondence by electronic means if a conspicuously  
1161 located disclosure is provided to the customer indicating the  
1162 same.

1163 10. The provisions of this chapter requiring submission of  
1164 fingerprints do not apply to licenses issued to qualified  
1165 entities under this paragraph.

1166 11. A branch location that sells portable electronics  
1167 insurance may, in lieu of obtaining an appointment from an  
1168 insurer or warranty association, obtain a single appointment  
1169 from the associated lead business location licensee and pay the  
1170 prescribed appointment fee under s. 624.501 if the lead business  
1171 location has a single appointment from each insurer or warranty  
1172 association represented and such appointment applies to the lead  
1173 business location and all of its branch locations. Branch



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1174 location appointments shall be renewed 24 months after the  
1175 initial appointment date of the lead business location and every  
1176 24 months thereafter. Notwithstanding s. 624.501, the renewal  
1177 fee applicable to such branch location appointments is \$30 per  
1178 appointment.

1179 12. For purposes of this paragraph:

1180 a. "Branch location" means any physical location in this  
1181 state at which a licensee offers its products or services for  
1182 sale.

1183 b. "Portable electronics" means personal, self-contained,  
1184 easily carried by an individual, battery-operated electronic  
1185 communication, viewing, listening, recording, gaming, computing  
1186 or global positioning devices, including cell or satellite  
1187 phones, pagers, personal global positioning satellite units,  
1188 portable computers, portable audio listening, video viewing or  
1189 recording devices, digital cameras, video camcorders, portable  
1190 gaming systems, docking stations, automatic answering devices,  
1191 and other similar devices and their accessories, and service  
1192 related to the use of such devices.

1193 c. "Portable electronics transaction" means the sale or  
1194 lease of portable electronics or a related service, including  
1195 portable electronics insurance.

1196 (4) Except as otherwise expressly provided, a person  
1197 applying for or holding a limited license is shall be subject to  
1198 the same applicable requirements and responsibilities that as  
1199 apply to general lines agents in general, if licensed as to  
1200 motor vehicle physical damage and mechanical breakdown  
1201 insurance, credit property insurance, industrial fire insurance  
1202 or burglary insurance, motor vehicle rental insurance, credit



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1203 insurance, crop hail and multiple-peril crop insurance, in-  
1204 transit and storage personal property insurance, or portable  
1205 electronics insurance ~~communications equipment property~~  
1206 ~~insurance or communications equipment inland marine insurance,~~  
1207 ~~baggage and motor vehicle excess liability insurance, or credit~~  
1208 ~~insurance;~~ or as apply to life agents or health agents in  
1209 general, as applicable ~~the case may be,~~ if licensed as to travel  
1210 ~~personal accident insurance or credit life or credit disability~~  
1211 insurance.

1212 Section 15. Section 626.342, Florida Statutes, is amended  
1213 to read:

1214 626.342 Furnishing supplies to unlicensed ~~life, health, or~~  
1215 ~~general lines~~ agent prohibited; civil liability.-

1216 (1) An insurer, a managing general agent, an insurance  
1217 agency, or an agent, directly or through a ~~any~~ representative,  
1218 may not furnish to an ~~any~~ agent any blank forms, applications,  
1219 stationery, or other supplies to be used in soliciting,  
1220 negotiating, or effecting contracts of insurance on its behalf  
1221 unless such blank forms, applications, stationery, or other  
1222 supplies relate to a class of business for ~~with respect to~~ which  
1223 the agent is licensed and appointed, whether for that insurer or  
1224 another insurer.

1225 (2) An ~~Any~~ insurer, general agent, insurance agency, or  
1226 agent who furnishes any of the supplies specified in subsection  
1227 (1) to an ~~any~~ agent or prospective agent not appointed to  
1228 represent the insurer and who accepts from or writes any  
1229 insurance business for such agent or agency is subject to civil  
1230 liability to an ~~any~~ insured of such insurer to the same extent  
1231 and ~~in the same~~ manner as if such agent or prospective agent had



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1232 been appointed or authorized by the insurer or such agent to act  
1233 on ~~in~~ its or his or her behalf. The provisions of this  
1234 subsection do not apply to insurance risk apportionment plans  
1235 under s. 627.351.

1236 (3) This section does not apply to the placing of surplus  
1237 lines business under the provisions of ss. 626.913-626.937.

1238 Section 16. Subsection (1) of section 626.381, Florida  
1239 Statutes, is amended to read:

1240 626.381 Renewal, continuation, reinstatement, or  
1241 termination of appointment.-

1242 (1) The appointment of an appointee continues ~~shall~~  
1243 ~~continue~~ in force until suspended, revoked, or otherwise  
1244 terminated, but is subject to a renewal request filed by the  
1245 appointing entity in the appointee's birth month as to natural  
1246 persons or the month the original appointment was issued ~~license~~  
1247 ~~date~~ as to entities and every 24 months thereafter, accompanied  
1248 by payment of the renewal appointment fee and taxes as  
1249 prescribed in s. 624.501.

1250 Section 17. Section 626.536, Florida Statutes, is amended  
1251 to read:

1252 626.536 Reporting of administrative actions. ~~Each agent and~~  
1253 ~~insurance agency shall submit to the department,~~ Within 30 days  
1254 after the final disposition of an ~~any~~ administrative action  
1255 taken against a licensee ~~the agent~~ or insurance agency by a  
1256 governmental agency or other regulatory agency in this or any  
1257 other state or jurisdiction relating to the business of  
1258 insurance, the sale of securities, or activity involving fraud,  
1259 dishonesty, trustworthiness, or breach of a fiduciary duty, the  
1260 licensee or insurance agency must submit a copy of the order,



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1261 consent to order, or other relevant legal documents to the  
1262 department. The department may adopt rules to administer  
1263 ~~implementing the provisions of~~ this section.

1264 Section 18. Section 626.551, Florida Statutes, is amended  
1265 to read:

1266 626.551 Notice of change of address, name.—~~A Every~~ licensee  
1267 must shall notify the department, in writing, within 30 60 days  
1268 after a change of name, residence address, principal business  
1269 street address, mailing address, contact telephone numbers,  
1270 including a business telephone number, or e-mail address. A  
1271 licensee licensed agent who has moved his or her principal place  
1272 of residence and principal place of business from this state  
1273 shall have his or her license and all appointments immediately  
1274 terminated by the department. Failure to notify the department  
1275 within the required time ~~period~~ shall result in a fine not to  
1276 exceed \$250 for the first offense and, ~~for subsequent offenses,~~  
1277 a fine of at least \$500 or suspension or revocation of the  
1278 license pursuant to s. 626.611, s. 626.6115, ~~or~~ s. 626.621, or  
1279 s. 626.6215 for a subsequent offense. The department may adopt  
1280 rules to administer and enforce this section.

1281 Section 19. Subsection (14) is added to section 626.621,  
1282 Florida Statutes, to read:

1283 626.621 Grounds for discretionary refusal, suspension, or  
1284 revocation of agent's, adjuster's, customer representative's,  
1285 service representative's, or managing general agent's license or  
1286 appointment.—The department may, in its discretion, deny an  
1287 application for, suspend, revoke, or refuse to renew or continue  
1288 the license or appointment of any applicant, agent, adjuster,  
1289 customer representative, service representative, or managing



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1290 general agent, and it may suspend or revoke the eligibility to  
1291 hold a license or appointment of any such person, if it finds  
1292 that as to the applicant, licensee, or appointee any one or more  
1293 of the following applicable grounds exist under circumstances  
1294 for which such denial, suspension, revocation, or refusal is not  
1295 mandatory under s. 626.611:

1296 (14) Failure to comply with any civil, criminal, or  
1297 administrative action taken by the child support enforcement  
1298 program under Title IV-D of the Social Security Act, 42 U.S.C.  
1299 ss. 651 et seq., to determine paternity or to establish, modify,  
1300 enforce, or collect support.

1301 Section 20. Subsection (4) of section 626.641, Florida  
1302 Statutes, is amended to read:

1303 626.641 Duration of suspension or revocation.—

1304 (4) During the period of suspension or revocation of a the  
1305 license or appointment, and until the license is reinstated or,  
1306 if revoked, a new license issued, the former licensee or  
1307 appointee may shall not engage in or attempt or profess to  
1308 engage in any transaction or business for which a license or  
1309 appointment is required under this code or directly or  
1310 indirectly own, control, or be employed in any manner by an any  
1311 insurance agent, or agency, or adjuster, or adjusting firm.

1312 Section 21. Subsection (1) of section 626.651, Florida  
1313 Statutes, is amended to read:

1314 626.651 Effect of suspension, revocation upon associated  
1315 licenses and appointments and licensees and appointees.—

1316 (1) Upon suspension, revocation, or refusal to renew or  
1317 continue any one license of a licensee an agent or customer  
1318 representative, or upon suspension or revocation of eligibility



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1319 to hold a license or appointment, the department shall at the  
1320 same time likewise suspend or revoke all other licenses,  
1321 appointments, or status of eligibility held by the licensee or  
1322 appointee under this code.

1323 Section 22. Subsection (4) of section 626.730, Florida  
1324 Statutes, is amended, and subsection (5) of that section is  
1325 created, to read:

1326 626.730 Purpose of license.—

1327 (4) This section does not prohibit ~~the licensing under a~~  
1328 licensee holding a limited license for credit insurance or as to  
1329 motor vehicle physical damage and mechanical breakdown insurance  
1330 from being or credit property insurance of any person employed  
1331 by or associated with a motor vehicle sales or financing agency,  
1332 a retail sales establishment, or a consumer loan office for the  
1333 purpose of insuring, ~~other than a consumer loan office owned by~~  
1334 ~~or affiliated with a financial institution as defined in s.~~  
1335 ~~655.005, with respect to insurance of the interest of such~~  
1336 entity agency in a motor vehicle sold or financed by it or in  
1337 personal property if used as collateral for a loan.

1338 (5) This section does not apply ~~with respect~~ to the  
1339 interest of a real estate mortgagee in or as to insurance  
1340 covering such interest or in the real estate subject to such  
1341 mortgage.

1342 Section 23. Section 626.732, Florida Statutes, is amended  
1343 to read:

1344 626.732 Requirement as to knowledge, experience, or  
1345 instruction.—

1346 (1) Except as provided in subsection (4) ~~(3)~~, an ~~no~~  
1347 applicant for a license as a general lines agent ~~or personal~~



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1348 ~~lines agent, except for a chartered property and casualty~~  
1349 ~~underwriter (CPCU), may not other than as to a limited license~~  
1350 ~~as to baggage and motor vehicle excess liability insurance,~~  
1351 ~~credit property insurance, credit insurance, in-transit and~~  
1352 ~~storage personal property insurance, or communications equipment~~  
1353 ~~property insurance or communication equipment inland marine~~  
1354 ~~insurance, shall~~ be qualified or licensed unless, within the 4  
1355 years immediately preceding the date the application for license  
1356 is filed with the department, the applicant has:

1357 (a) Taught or successfully completed classroom courses in  
1358 insurance, 3 hours of which must ~~shall~~ be on the subject matter  
1359 of ethics, ~~satisfactory to the department~~ at a school, college,  
1360 or extension division thereof, approved by the department. ~~To~~  
1361 ~~qualify for licensure as a personal lines agent, the applicant~~  
1362 ~~must complete a total of 52 hours of classroom courses in~~  
1363 ~~insurance;~~

1364 (b) Completed a correspondence course in insurance, 3 hours  
1365 of which must ~~shall~~ be on the subject matter of ethics, which is  
1366 ~~satisfactory to the department~~ and regularly offered by  
1367 accredited institutions of higher learning in this state or  
1368 extensions thereof and approved by the department, and have,  
1369 ~~except if he or she is applying for a limited license under s.~~  
1370 ~~626.321, for licensure as a general lines agent, has had at~~  
1371 least 6 months of responsible insurance duties as a  
1372 substantially full-time bona fide employee in all lines of  
1373 property and casualty insurance set forth in the definition of  
1374 general lines agent under s. 626.015 ~~or, for licensure as a~~  
1375 ~~personal lines agent, has completed at least 3 months in~~  
1376 ~~responsible insurance duties as a substantially full-time~~





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1377 ~~employee in property and casualty insurance sold to individuals~~  
1378 ~~and families for noncommercial purposes;~~

1379       (c) ~~For licensure as a general lines agent, Completed at~~  
1380 ~~least 1 year in responsible insurance duties as a substantially~~  
1381 ~~full-time bona fide employee in all lines of property and~~  
1382 ~~casualty insurance, exclusive of aviation and wet marine and~~  
1383 ~~transportation insurances but not exclusive of boats of less~~  
1384 ~~than 36 feet in length or aircraft not held out for hire, as set~~  
1385 ~~forth in the definition of a general lines agent under s.~~  
1386 ~~626.015, but without the education requirement described~~  
1387 ~~mentioned in paragraph (a) or paragraph (b) or, for licensure as~~  
1388 ~~a personal lines agent, has completed at least 6 months in~~  
1389 ~~responsible insurance duties as a substantially full-time~~  
1390 ~~employee in property and casualty insurance sold to individuals~~  
1391 ~~and families for noncommercial purposes without the education~~  
1392 ~~requirement in paragraph (a) or paragraph (b);~~

1393       (d)1. ~~For licensure as a general lines agent, Completed at~~  
1394 ~~least 1 year of responsible insurance duties as a licensed and~~  
1395 ~~appointed customer representative or limited customer~~  
1396 ~~representative in commercial or personal lines of property and~~  
1397 ~~casualty insurance and 40 hours of classroom courses approved by~~  
1398 ~~the department covering the areas of property, casualty, surety,~~  
1399 ~~health, and marine insurance; or~~

1400       2. ~~For licensure as a personal lines agent, completed at~~  
1401 ~~least 6 months of responsible duties as a licensed and appointed~~  
1402 ~~customer representative or limited customer representative in~~  
1403 ~~property and casualty insurance sold to individuals and families~~  
1404 ~~for noncommercial purposes and 20 hours of classroom courses~~  
1405 ~~approved by the department which are related to property and~~



1406 ~~casualty insurance sold to individuals and families for~~  
1407 ~~noncommercial purposes;~~

1408 ~~(e)1. For licensure as a general lines agent, Completed at~~  
1409 ~~least 1 year of responsible insurance duties as a licensed and~~  
1410 ~~appointed service representative in either commercial or~~  
1411 ~~personal lines of property and casualty insurance and 80 hours~~  
1412 ~~of classroom courses approved by the department covering the~~  
1413 ~~areas of property, casualty, surety, health, and marine~~  
1414 ~~insurance.; or~~

1415 ~~2. For licensure as a personal lines agent, completed at~~  
1416 ~~least 6 months of responsible insurance duties as a licensed and~~  
1417 ~~appointed service representative in property and casualty~~  
1418 ~~insurance sold to individuals and families for noncommercial~~  
1419 ~~purposes and 40 hours of classroom courses approved by the~~  
1420 ~~department related to property and casualty insurance sold to~~  
1421 ~~individuals and families for noncommercial purposes; or~~

1422 (2) Except as provided under subsection (4), an applicant  
1423 for a license as a personal lines agent, except for a chartered  
1424 property and casualty underwriter (CPCU), may not be qualified  
1425 or licensed unless, within the 4 years immediately preceding the  
1426 date the application for license is filed with the department,  
1427 the applicant has:

1428 (a) Taught or successfully completed classroom courses in  
1429 insurance, 3 hours of which must be on the subject matter of  
1430 ethics, at a school, college, or extension division thereof,  
1431 approved by the department. To qualify for licensure, the  
1432 applicant must complete a total of 52 hours of classroom courses  
1433 in insurance;

1434 (b) Completed a correspondence course in insurance, 3 hours



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1435 of which must be on the subject matter of ethics, which is  
1436 regularly offered by accredited institutions of higher learning  
1437 in this state or extensions thereof and approved by the  
1438 department, and completed at least 3 months of responsible  
1439 insurance duties as a substantially full-time employee in the  
1440 area of property and casualty insurance sold to individuals and  
1441 families for noncommercial purposes;

1442 (c) Completed at least 6 months of responsible insurance  
1443 duties as a substantially full-time employee in the area of  
1444 property and casualty insurance sold to individuals and families  
1445 for noncommercial purposes, but without the education  
1446 requirement described in paragraph (a) or paragraph (b);

1447 (d) Completed at least 6 months of responsible duties as a  
1448 licensed and appointed customer representative or limited  
1449 customer representative in property and casualty insurance sold  
1450 to individuals and families for noncommercial purposes and 20  
1451 hours of classroom courses approved by the department which are  
1452 related to property and casualty insurance sold to individuals  
1453 and families for noncommercial purposes;

1454 (e) Completed at least 6 months of responsible insurance  
1455 duties as a licensed and appointed service representative in  
1456 property and casualty insurance sold to individuals and families  
1457 for noncommercial purposes and 40 hours of classroom courses  
1458 approved by the department related to property and casualty  
1459 insurance sold to individuals and families for noncommercial  
1460 purposes; or

1461 (f) ~~For licensure as a personal lines agent,~~ Completed at  
1462 least 3 years of responsible duties as a licensed and appointed  
1463 customer representative in property and casualty insurance sold



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1464 to individuals and families for noncommercial purposes.

1465 ~~(3)-(2)~~ If ~~where~~ an applicant's qualifications as required  
1466 under subsection (1) or subsection (2) in paragraph (1)(b) or  
1467 ~~paragraph (1)(c)~~ are based in part upon the periods of  
1468 employment ~~in at~~ responsible insurance duties ~~prescribed~~  
1469 ~~therein~~, the applicant shall submit with the license application  
1470 ~~for license~~, on a form prescribed by the department, an ~~the~~  
1471 affidavit of his or her employer setting forth the period of  
1472 such employment, that the employment ~~same~~ was substantially  
1473 full-time, and giving a brief abstract of the nature of the  
1474 duties performed by the applicant.

1475 ~~(4)-(3)~~ An individual who was or became qualified to sit for  
1476 an agent's, customer representative's, or adjuster's examination  
1477 at or during the time he or she was employed by the department  
1478 or office and who, while so employed, was employed in  
1479 responsible insurance duties as a full-time bona fide employee  
1480 may ~~shall be permitted to~~ take an examination if application for  
1481 such examination is made within 90 days after the date of  
1482 termination of ~~his or her~~ employment with the department or  
1483 office.

1484 ~~(5)-(4)~~ Classroom and correspondence courses under  
1485 subsections (1) and (2) ~~subsection (1)~~ must include instruction  
1486 on the subject matter of unauthorized entities engaging in the  
1487 business of insurance. The scope of the topic of unauthorized  
1488 entities must ~~shall~~ include the Florida Nonprofit Multiple-  
1489 Employer Welfare Arrangement Act and the Employee Retirement  
1490 Income Security Act, 29 U.S.C. ss. 1001 et seq., as it relates  
1491 to the provision of health insurance by employers and the  
1492 regulation thereof.



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1493           (6) This section does not apply to an individual holding  
1494 only a limited license for travel insurance, motor vehicle  
1495 rental insurance, credit insurance, in-transit and storage  
1496 personal property insurance, or portable electronics insurance.

1497           Section 24. Section 626.8411, Florida Statutes, is amended  
1498 to read:

1499           626.8411 Application of Florida Insurance Code provisions  
1500 to title insurance agents or agencies.—

1501           (1) The following provisions of part II, ~~as~~ applicable to  
1502 general lines agents or agencies, ~~also~~ apply to title insurance  
1503 agents or agencies:

1504           (a) Section 626.734, relating to liability of certain  
1505 agents.

1506           ~~(b) Section 626.175, relating to temporary licenses.~~

1507           (b) (e) Section 626.747, relating to branch agencies.

1508           (c) Section 626.749, relating to place of business in  
1509 residence.

1510           (d) Section 626.753, relating to sharing of commissions.

1511           (e) Section 626.754, relating to rights of agent following  
1512 termination of appointment.

1513           (2) The following provisions of part I do not apply to  
1514 title insurance agents or title insurance agencies:

1515           (a) Section 626.112(7), relating to licensing of insurance  
1516 agencies.

1517           (b) Section 626.231, relating to eligibility for  
1518 examination.

1519           (c) Section 626.572, relating to rebating, when allowed.

1520           (d) Section 626.172, relating to agent in full-time charge.

1521           Section 25. Subsection (1) of section 626.8419, Florida



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1522 Statutes, is amended to read:

1523 626.8419 Appointment of title insurance agency.—

1524 (1) The title insurer engaging or employing the title  
1525 insurance agency must file with the department, on ~~printed~~ forms  
1526 furnished by the department, an application certifying that the  
1527 proposed title insurance agency meets all of the following  
1528 requirements:

1529 (a) The agency must have obtained a fidelity bond in an  
1530 amount, not less than \$50,000, acceptable to the insurer  
1531 appointing the agency. If a fidelity bond is unavailable  
1532 generally, the department must adopt rules for alternative  
1533 methods to comply with this paragraph.

1534 (b) The agency must have obtained errors and omissions  
1535 insurance in an amount acceptable to the insurer appointing the  
1536 agency. The amount of the coverage may not be less than \$250,000  
1537 per claim and an aggregate limit with a deductible no greater  
1538 than \$10,000. If errors and omissions insurance is unavailable  
1539 generally, the department must adopt rules for alternative  
1540 methods to comply with this paragraph.

1541 (c) Notwithstanding s. 626.8418(2), the agency must have  
1542 obtained a surety bond in an amount not less than \$35,000 made  
1543 payable to the title insurer or title insurers appointing the  
1544 agency. The surety bond must be for the benefit of any  
1545 appointing title insurer damaged by a violation by the title  
1546 insurance agency of its contract with the appointing title  
1547 insurer. If the surety bond is payable to multiple title  
1548 insurers, the surety bond must provide that each title insurer  
1549 is to be notified in the event a claim is made upon the surety  
1550 bond or the bond is terminated.



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1551           (d) The surety bond must remain in effect and unimpaired as  
1552 long as the agency is appointed by a title insurer. The agency  
1553 must provide written proof to the appointing title insurer or  
1554 insurers on an annual basis evidencing that the surety bond is  
1555 still in effect and unimpaired.

1556           (e) A title insurer may not provide the surety bond  
1557 directly or indirectly on behalf of the agency.

1558           Section 26. Section 626.8548, Florida Statutes, is created  
1559 to read:

1560           626.8548 "All-lines adjuster" defined.—An "all-lines  
1561 adjuster" is a person who is self-employed or employed by an  
1562 insurer, a wholly owned subsidiary of an insurer, or an  
1563 independent adjusting firm or other independent adjuster, and  
1564 who undertakes on behalf of an insurer or other insurers under  
1565 common control or ownership to ascertain and determine the  
1566 amount of any claim, loss, or damage payable under an insurance  
1567 contract or undertakes to effect settlement of such claim, loss,  
1568 or damage. The term does not apply to life insurance or annuity  
1569 contracts.

1570           Section 27. Section 626.855, Florida Statutes, is amended  
1571 to read:

1572           626.855 "Independent adjuster" defined.—An "independent  
1573 adjuster" means a ~~is any~~ person licensed as an all-lines  
1574 adjuster who is self-appointed ~~self-employed~~ or appointed and is  
1575 ~~associated with~~ or employed by an independent adjusting firm or  
1576 other independent adjuster, and who undertakes on behalf of an  
1577 insurer to ascertain and determine the amount of any claim,  
1578 loss, or damage payable under an insurance contract or  
1579 undertakes to effect settlement of such claim, loss, or damage.



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1580 Section 28. Section 626.856, Florida Statutes, is amended  
1581 to read:

1582 626.856 "Company employee adjuster" defined.—A "company  
1583 employee adjuster" means ~~is~~ a person licensed as an all-lines  
1584 adjuster who is appointed and employed on an insurer's staff of  
1585 adjusters or a wholly owned subsidiary of the insurer, and who  
1586 undertakes on behalf of such insurer or other insurers under  
1587 common control or ownership to ascertain and determine the  
1588 amount of any claim, loss, or damage payable under a contract of  
1589 insurance, or undertakes to effect settlement of such claim,  
1590 loss, or damage.

1591 Section 29. Section 626.858, Florida Statutes, is repealed.

1592 Section 30. Section 626.8584, Florida Statutes, is amended  
1593 to read:

1594 626.8584 "Nonresident all-lines independent adjuster"  
1595 defined.—A "nonresident all-lines independent adjuster" means ~~is~~  
1596 a person who:

- 1597 (1) Is not a resident of this state;
- 1598 (2) Is ~~a~~ currently licensed as an independent adjuster in  
1599 his or her state of residence for all lines of insurance except  
1600 life and annuities ~~the type or kinds of insurance for which the~~  
1601 ~~licensee intends to adjust claims in this state or, if a~~  
1602 resident of a state that does not license such independent  
1603 adjusters, meets the qualifications ~~has passed the department's~~  
1604 ~~adjuster examination as prescribed in s. 626.8734(1)(b); and~~
- 1605 (3) Is licensed as an all-lines adjuster and self-appointed  
1606 or appointed and ~~a self-employed independent adjuster or~~  
1607 ~~associated with or~~ employed by an independent adjusting firm or  
1608 other independent adjuster, by an insurer admitted to do





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1609 business in this state or a wholly-owned subsidiary of an  
1610 insurer admitted to do business in this state, or by other  
1611 insurers under the common control or ownership of such insurer.

1612 Section 31. Section 626.863, Florida Statutes, is amended  
1613 to read:

1614 626.863 Claims referrals to Licensed independent adjusters  
1615 ~~required; insurers' responsibility.-~~

1616 (1) An insurer may ~~shall~~ not knowingly refer any claim or  
1617 loss for adjustment in this state to any person purporting to be  
1618 or acting as an independent adjuster unless the person is  
1619 currently licensed as an all-lines adjuster and appointed as an  
1620 independent adjuster under this code.

1621 (2) Before referring any claim or loss, the insurer shall  
1622 ascertain from the department whether the proposed independent  
1623 adjuster is currently licensed as an all-lines adjuster and  
1624 appointed as an independent adjuster ~~such~~. Having ~~once~~  
1625 ascertained that a particular person is so licensed and  
1626 appointed, the insurer may assume that he or she will continue  
1627 to be so licensed and appointed until the insurer has knowledge,  
1628 or receives information from the department, to the contrary.

1629 (3) This section does not apply to catastrophe or emergency  
1630 adjusters as provided ~~for~~ in this part.

1631 Section 32. Section 626.864, Florida Statutes, is amended  
1632 to read:

1633 626.864 Adjuster license types.-

1634 (1) A qualified individual may be licensed ~~and appointed~~ as  
1635 ~~either:~~

1636 (a) A public adjuster; or

1637 (b) An all-lines ~~independent~~ adjuster; ~~or~~



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1638 ~~(c) A company employee adjuster.~~

1639 (2) The same individual may ~~shall~~ not be concurrently  
1640 licensed ~~appointed~~ as a public adjuster and an all-lines  
1641 adjuster ~~to more than one of the adjuster types referred to in~~  
1642 ~~subsection (1).~~

1643 (3) An all-lines adjuster may be appointed as an  
1644 independent adjuster or company employee adjuster, but not both  
1645 concurrently.

1646 Section 33. Subsection (1) of section 626.865, Florida  
1647 Statutes, is amended to read:

1648 626.865 Public adjuster's qualifications, bond.-

1649 (1) The department shall issue a license to an applicant  
1650 for a public adjuster's license upon determining that the  
1651 applicant has paid the applicable fees specified in s. 624.501  
1652 and possesses the following qualifications:

1653 (a) Is a natural person at least 18 years of age.

1654 (b) Is a United States citizen or legal alien who possesses  
1655 work authorization from the United States Bureau of Citizenship  
1656 and Immigration Services ~~and a bona fide resident of this state.~~

1657 (c) Is trustworthy and has such business reputation as  
1658 would reasonably assure that the applicant will conduct his or  
1659 her business as insurance adjuster fairly and in good faith and  
1660 without detriment to the public.

1661 (d) Has had sufficient experience, training, or instruction  
1662 concerning the adjusting of damages or losses under insurance  
1663 contracts, other than life and annuity contracts, is  
1664 sufficiently informed as to the terms and effects of the  
1665 provisions of those types of insurance contracts, and possesses  
1666 adequate knowledge of the laws of this state relating to such



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1667 contracts as to enable and qualify him or her to engage in the  
1668 business of insurance adjuster fairly and without injury to the  
1669 public or any member thereof with whom the applicant may have  
1670 business as a public adjuster, or has been licensed and employed  
1671 as a resident insurance company adjuster or independent adjuster  
1672 in this state on a continual basis for the past year.

1673 (e) Is licensed as a public adjuster apprentice under s.  
1674 626.8651 and complies with the requirements of that license  
1675 throughout the licensure period.

1676 Section 34. Paragraph (b) of subsection (1) and subsection  
1677 (7) of section 626.8651, Florida Statutes, are amended to read:

1678 626.8651 Public adjuster apprentice license;  
1679 qualifications.-

1680 (1) The department shall issue a license as a public  
1681 adjuster apprentice to an applicant who is:

1682 (b) A United States citizen or legal alien who possesses  
1683 work authorization from the United States Bureau of Citizenship  
1684 and Immigration Services ~~and is a resident of this state.~~

1685 (7) An appointing public adjusting firm may not maintain  
1686 more than 12 public adjuster apprentices simultaneously.  
1687 However, a supervising public adjuster may not be responsible  
1688 for more than three public adjuster apprentices simultaneously  
1689 and shall be accountable for the acts of all public adjuster  
1690 apprentices which are related to transacting business as a  
1691 public adjuster apprentice. This subsection does not apply to a  
1692 public adjusting firm that adjusts claims primarily for  
1693 commercial entities with operations in more than one state and  
1694 that does not directly or indirectly perform adjusting services  
1695 for insurers or individual homeowners.



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1696 Section 35. Section 626.866, Florida Statutes, is amended  
1697 to read:

1698 626.866 All-lines adjuster ~~Independent adjuster's~~  
1699 qualifications.—The department shall issue a ~~license to an~~  
1700 ~~applicant for an~~ all-lines adjuster ~~independent adjuster's~~  
1701 license to an applicant upon determining that the applicable  
1702 license fee specified in s. 624.501 has been paid and that the  
1703 applicant possesses the following qualifications:

1704 (1) Is a natural person at least 18 years of age.

1705 (2) Is a United States citizen or legal alien who possesses  
1706 work authorization from the United States Bureau of Citizenship  
1707 and Immigration Services and a bona fide resident of this state.

1708 (3) Is trustworthy and has such business reputation as  
1709 would reasonably assure that the applicant will conduct his or  
1710 her business as insurance adjuster fairly and in good faith and  
1711 without detriment to the public.

1712 (4) Has had sufficient experience, training, or instruction  
1713 concerning the adjusting of damage or loss under insurance  
1714 contracts, other than life and annuity contracts, is  
1715 sufficiently informed as to the terms and the effects of the  
1716 provisions of such types of contracts, and possesses adequate  
1717 knowledge of the insurance laws of this state relating to such  
1718 contracts as to enable and qualify him or her to engage in the  
1719 business of insurance adjuster fairly and without injury to the  
1720 public or any member thereof with whom he or she may have  
1721 relations as an insurance adjuster and to adjust all claims in  
1722 accordance with the policy or contract and the insurance laws of  
1723 this state.

1724 (5) Has passed any required written examination or has met



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1725 one of the exemptions prescribed under s. 626.221.

1726 Section 36. Section 626.867, Florida Statutes, is repealed.

1727 Section 37. Section 626.869, Florida Statutes, is amended  
1728 to read:

1729 626.869 License, adjusters; continuing education.—

1730 (1) Having An applicant for a license as an all-lines  
1731 adjuster qualifies the licensee to adjust may qualify and his or  
1732 her license when issued may cover adjusting in any one of the  
1733 following classes of insurance:

1734 (a) ~~all lines of insurance except life and annuities.~~

1735 (b) ~~Motor vehicle physical damage insurance.~~

1736 (c) ~~Property and casualty insurance.~~

1737 (d) ~~Workers' compensation insurance.~~

1738 (e) ~~Health insurance.~~

1739

1740 ~~No examination on workers' compensation insurance or health~~  
1741 ~~insurance shall be required for public adjusters.~~

1742 (2) All individuals who on October 1, 1990, hold an  
1743 adjuster's license and appointment limited to fire and allied  
1744 lines, including marine or casualty or boiler and machinery, may  
1745 remain licensed and appointed under the limited license and may  
1746 renew their appointment, but a ~~no~~ license or appointment that  
1747 ~~which~~ has been terminated, not renewed, suspended, or revoked  
1748 may not shall be reinstated, and ~~no~~ new or additional licenses  
1749 or appointments may not shall be issued.

1750 (3) All individuals who on October 1, 2012, hold an  
1751 adjuster's license and appointment limited to motor vehicle  
1752 physical damage and mechanical breakdown, property and casualty,  
1753 workers' compensation, or health insurance may remain licensed



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1754 and appointed under such limited license and may renew their  
1755 appointment, but a license that has been terminated, suspended,  
1756 or revoked may not be reinstated, and new or additional licenses  
1757 may not be issued. The applicant's application for license shall  
1758 specify which of the foregoing classes of business the  
1759 application for license is to cover.

1760 (4) ~~(a)~~ An Any individual holding a license as a public  
1761 adjuster or an all-lines a company employee adjuster must  
1762 complete all continuing education requirements as specified in  
1763 s. 626.2815. or independent adjuster for 24 consecutive months  
1764 or longer must, beginning in his or her birth month and every 2  
1765 years thereafter, have completed 24 hours of courses, 2 hours of  
1766 which relate to ethics, in subjects designed to inform the  
1767 licensee regarding the current insurance laws of this state, so  
1768 as to enable him or her to engage in business as an insurance  
1769 adjuster fairly and without injury to the public and to adjust  
1770 all claims in accordance with the policy or contract and the  
1771 laws of this state.

1772 (b) ~~Any individual holding a license as a public adjuster~~  
1773 ~~for 24 consecutive months or longer, beginning in his or her~~  
1774 ~~birth month and every 2 years thereafter, must have completed 24~~  
1775 ~~hours of courses, 2 hours of which relate to ethics, in subjects~~  
1776 ~~designed to inform the licensee regarding the current laws of~~  
1777 ~~this state pertaining to all lines of insurance other than life~~  
1778 ~~and annuities, the current laws of this state pertaining to the~~  
1779 ~~duties and responsibilities of public adjusters as set forth in~~  
1780 ~~this part, and the current rules of the department applicable to~~  
1781 ~~public adjusters and standard or representative policy forms~~  
1782 ~~used by insurers, other than forms for life insurance and~~



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1783 ~~annuities, so as to enable him or her to engage in business as~~  
1784 ~~an adjuster fairly and without injury to the public and to~~  
1785 ~~adjust all claims in accordance with the policy or contract and~~  
1786 ~~laws of this state. In order to receive credit for continuing~~  
1787 ~~education courses, public adjusters must take courses that are~~  
1788 ~~specifically designed for public adjusters and approved by the~~  
1789 ~~department, provided, however, no continuing education course~~  
1790 ~~shall be required for public adjusters for workers' compensation~~  
1791 ~~insurance or health insurance.~~

1792 ~~(c) The department shall adopt rules necessary to implement~~  
1793 ~~and administer the continuing education requirements of this~~  
1794 ~~subsection. For good cause shown, the department may grant an~~  
1795 ~~extension of time during which the requirements imposed by this~~  
1796 ~~section may be completed, but such extension of time may not~~  
1797 ~~exceed 1 year.~~

1798 ~~(d) A nonresident public adjuster must complete the~~  
1799 ~~continuing education requirements provided by this section;~~  
1800 ~~provided, a nonresident public adjuster may meet the~~  
1801 ~~requirements of this section if the continuing education~~  
1802 ~~requirements of the nonresident public adjuster's home state are~~  
1803 ~~determined to be substantially comparable to the requirements of~~  
1804 ~~this state's continuing education requirements and if the~~  
1805 ~~resident's state recognizes reciprocity with this state's~~  
1806 ~~continuing education requirements. A nonresident public adjuster~~  
1807 ~~whose home state does not have such continuing education~~  
1808 ~~requirements for adjusters, and who is not licensed as a~~  
1809 ~~nonresident adjuster in a state that has continuing education~~  
1810 ~~requirements and reciprocates with this state, must meet the~~  
1811 ~~continuing education requirements of this section.~~



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1812 (5) The regulation of continuing education for licensees,  
1813 course providers, instructors, school officials, and monitor  
1814 groups shall be as provided ~~for~~ in s. 626.2816.

1815 Section 38. Paragraph (c) of subsection (2) of section  
1816 626.8697, Florida Statutes, is amended to read:

1817 626.8697 Grounds for refusal, suspension, or revocation of  
1818 adjusting firm license.-

1819 (2) The department may, in its discretion, deny, suspend,  
1820 revoke, or refuse to continue the license of any adjusting firm  
1821 if it finds that any of the following applicable grounds exist  
1822 with respect to the firm or any owner, partner, manager,  
1823 director, officer, or other person who is otherwise involved in  
1824 the operation of the firm:

1825 (c) Violation of an ~~any~~ order or rule of the department,  
1826 office, or commission.

1827 Section 39. Subsections (1) and (5) of section 626.872,  
1828 Florida Statutes, are amended to read:

1829 626.872 Temporary license.-

1830 (1) The department may, ~~in its discretion,~~ issue a  
1831 temporary license as an all-lines independent adjuster ~~or as a~~  
1832 ~~company employee adjuster,~~ subject to the following conditions:

1833 (a) The applicant must be an employee of an adjuster  
1834 currently licensed by the department, ~~an employee of an~~  
1835 authorized insurer, or ~~an employee of an~~ established adjusting  
1836 firm or corporation who ~~which~~ is supervised by a currently  
1837 licensed all-lines independent adjuster.

1838 ~~(b) The application must be accompanied by a certificate of~~  
1839 ~~employment and a report as to the applicant's integrity and~~  
1840 ~~moral character on a form prescribed by the department and~~





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1841 ~~executed by the employer.~~

1842       **(b)** ~~(e)~~ The applicant must be a natural person of at least  
1843 18 years of age, ~~must be~~ a bona fide resident of this state,  
1844 ~~must be~~ trustworthy, and ~~must~~ have a ~~such~~ business reputation  
1845 that as would reasonably ensure ~~assure~~ that the applicant will  
1846 conduct his or her business as an adjuster fairly and in good  
1847 faith and without detriment to the public.

1848       **(c)** ~~(d)~~ The applicant's employer is responsible for the  
1849 adjustment acts of the temporary ~~any~~ licensee ~~under this~~  
1850 ~~section.~~

1851       **(d)** ~~(e)~~ The applicable license fee ~~specified~~ must be paid  
1852 before issuance of the temporary license.

1853       **(e)** ~~(f)~~ The temporary license is ~~shall be~~ effective for a  
1854 ~~period of~~ 1 year, but is subject to earlier termination at the  
1855 request of the employer, ~~or~~ if the licensee fails to take an  
1856 examination as an all-lines ~~independent~~ adjuster ~~or company~~  
1857 ~~employee adjuster~~ within 6 months after issuance of the  
1858 temporary license, or if the temporary license is suspended or  
1859 revoked by the department.

1860       (5) The department may ~~shall~~ not issue a temporary license  
1861 as an all-lines ~~independent~~ adjuster ~~or as a company employee~~  
1862 ~~adjuster~~ to an ~~any~~ individual who has ~~ever~~ held such a license  
1863 in this state.

1864       Section 40. Section 626.873, Florida Statutes, is repealed.

1865       Section 41. Paragraph (e) of subsection (1) and subsection  
1866 (2) of section 626.8732, Florida Statutes, are amended to read:  
1867       626.8732 Nonresident public adjuster's qualifications,  
1868 bond.—

1869       (1) The department shall, upon application therefor, issue



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1870 a license to an applicant for a nonresident public adjuster's  
1871 license upon determining that the applicant has paid the  
1872 applicable license fees required under s. 624.501 and:

1873 (e) Has been licensed and employed as a public adjuster in  
1874 the applicant's state of residence on a continual basis for the  
1875 past year ~~3 years~~, or, if the applicant's state of residence  
1876 does not issue licenses to individuals who act as public  
1877 adjusters, the applicant has been licensed and employed as a  
1878 resident insurance company or independent adjuster, ~~insurance~~  
1879 ~~agent, insurance broker, or other insurance representative in~~  
1880 his or her state of residence or any other state on a continual  
1881 basis for the past year ~~3 years~~. ~~This paragraph does not apply~~  
1882 ~~to individuals who are licensed to transact only life insurance~~  
1883 ~~and annuity business.~~

1884 (2) The applicant shall furnish the following with his or  
1885 her application:

1886 (a) A complete set of his or her fingerprints. The  
1887 applicant's fingerprints must be certified by an authorized law  
1888 enforcement officer. The department may not authorize an  
1889 applicant to take the required examination or issue a  
1890 nonresident public adjuster's license to the applicant until the  
1891 department has received a report from the Florida Department of  
1892 Law Enforcement and the Federal Bureau of Investigation relative  
1893 to the existence or nonexistence of a criminal history report  
1894 based on the applicant's fingerprints.

1895 (b) If currently licensed as a resident public adjuster in  
1896 the applicant's state of residence, a certificate or letter of  
1897 authorization from the licensing authority of the applicant's  
1898 state of residence, stating that the applicant holds a current



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1899 or comparable license to act as a public adjuster and has held  
1900 the license continuously for the past year ~~3 years~~. The  
1901 certificate or letter of authorization must be signed by the  
1902 insurance commissioner or his or her deputy or the appropriate  
1903 licensing official and must disclose whether the adjuster has  
1904 ever had any license or eligibility to hold any license  
1905 declined, denied, suspended, revoked, or placed on probation or  
1906 whether an administrative fine or penalty has been levied  
1907 against the adjuster and, if so, the reason for the action.

1908 (c) If the applicant's state of residence does not require  
1909 licensure as a public adjuster and the applicant has been  
1910 licensed as a resident insurance adjuster, ~~agent, broker, or~~  
1911 ~~other insurance representative~~ in his or her state of residence  
1912 or any other state, a certificate or letter of authorization  
1913 from the licensing authority stating that the applicant holds or  
1914 has held a license to act as such an insurance adjuster, ~~agent,~~  
1915 ~~or other insurance representative~~ and has held the license  
1916 continuously for the past year ~~3 years~~. The certificate or  
1917 letter of authorization must be signed by the insurance  
1918 commissioner or his or her deputy or the appropriate licensing  
1919 official and must disclose whether or not the adjuster, ~~agent,~~  
1920 ~~or other insurance representative~~ has ever had any license or  
1921 eligibility to hold any license declined, denied, suspended,  
1922 revoked, or placed on probation or whether an administrative  
1923 fine or penalty has been levied against the adjuster and, if so,  
1924 the reason for the action.

1925 Section 42. Section 626.8734, Florida Statutes, is amended  
1926 to read:

1927 626.8734 Nonresident all-lines adjuster license



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1928 ~~independent adjuster's~~ qualifications.-

1929 (1) The department shall, ~~upon application therefor,~~ issue  
1930 a license to an applicant for a nonresident all-lines adjuster  
1931 ~~independent adjuster's~~ license upon determining that the  
1932 applicant has paid the applicable license fees required under s.  
1933 624.501 and:

1934 (a) Is a natural person at least 18 years of age.

1935 (b) Has passed to the satisfaction of the department a  
1936 written Florida all-lines adjuster ~~independent adjuster's~~  
1937 examination of the scope prescribed in s. 626.241(6); however,  
1938 the requirement for the examination does not apply to ~~any of the~~  
1939 ~~following:~~

1940 1. An applicant who is licensed as an all-lines ~~a resident~~  
1941 ~~independent~~ adjuster in his or her home state if of residence  
1942 ~~when that state has entered into~~ requires the passing of a  
1943 ~~written examination in order to obtain the license and a~~  
1944 reciprocal agreement with the ~~appropriate official of that state~~  
1945 ~~has been entered into by the~~ department; or

1946 2. An applicant who is licensed as a nonresident all-lines  
1947 ~~independent~~ adjuster in a state other than his or her home state  
1948 ~~of residence when the state of licensure requires the passing of~~  
1949 ~~a written examination in order to obtain the license and a~~  
1950 reciprocal agreement with the appropriate official of the state  
1951 of licensure has been entered into with ~~by~~ the department.

1952 (c) Is licensed as an all-lines adjuster and is self  
1953 appointed, or appointed and employed by an independent adjusting  
1954 firm or other independent adjuster, or is an employee of an  
1955 insurer admitted to do business in this state, a wholly owned  
1956 subsidiary of an insurer admitted to business in this state, or



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1957 other insurers under the common control or ownership of such  
1958 insurers self-employed or associated with or employed by an  
1959 independent adjusting firm or other independent adjuster.  
1960 Applicants licensed as nonresident all-lines independent  
1961 adjusters under this section must be appointed as an independent  
1962 adjuster or company employee adjuster ~~such~~ in accordance with  
1963 ~~the provisions of~~ ss. 626.112 and 626.451. Appointment fees as  
1964 ~~in the amount~~ specified in s. 624.501 must be paid to the  
1965 department in advance. The appointment of a nonresident  
1966 independent adjuster continues ~~shall continue~~ in force until  
1967 suspended, revoked, or otherwise terminated, but is subject to  
1968 biennial renewal or continuation by the licensee in accordance  
1969 with ~~procedures prescribed in~~ s. 626.381 for licensees in  
1970 general.

1971 (d) Is trustworthy and has such business reputation as  
1972 would reasonably ensure ~~assure~~ that he or she will conduct his  
1973 or her business as a nonresident all-lines independent adjuster  
1974 fairly and in good faith and without detriment to the public.

1975 (e) Has had sufficient experience, training, or instruction  
1976 concerning the adjusting of damages or losses under insurance  
1977 contracts, other than life and annuity contracts; is  
1978 sufficiently informed as to the terms and effects of ~~the~~  
1979 ~~provisions of~~ those types of insurance contracts; and possesses  
1980 adequate knowledge of the laws of this state relating to such  
1981 contracts as to enable and qualify him or her to engage in the  
1982 business of insurance adjuster fairly and without injury to the  
1983 public or any member thereof with whom he or she may have  
1984 business as an all-lines independent adjuster.

1985 (2) The applicant must ~~shall~~ furnish the following with his



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1986 or her application:

1987 (a) A complete set of his or her fingerprints. The  
1988 applicant's fingerprints must be certified by an authorized law  
1989 enforcement officer.

1990 (b) If currently licensed as an all-lines ~~a resident~~  
1991 ~~independent~~ adjuster in the applicant's home state ~~of residence~~,  
1992 a certificate or letter of authorization from the licensing  
1993 authority of the applicant's home state ~~of residence~~, stating  
1994 that the applicant holds a current license to act as an all  
1995 lines independent adjuster. The ~~Such~~ certificate or letter of  
1996 authorization must be signed by the insurance commissioner, or  
1997 his or her deputy or the appropriate licensing official, and  
1998 must disclose whether the adjuster has ever had a ~~any~~ license or  
1999 eligibility to hold any license declined, denied, suspended,  
2000 revoked, or placed on probation or whether an administrative  
2001 fine or penalty has been levied against the adjuster and, if so,  
2002 the reason for the action. Such certificate or letter is not  
2003 required if the nonresident applicant's licensing status can be  
2004 verified through the Producer Database maintained by the  
2005 National Association of Insurance Commissioners, its affiliates,  
2006 or subsidiaries.

2007 (c) If the applicant's home state ~~of residence~~ does not  
2008 require licensure as an all-lines ~~independent~~ adjuster and the  
2009 applicant has been licensed as a resident insurance adjuster,  
2010 agent, broker, or other insurance representative in his or her  
2011 home state ~~of residence~~ or any other state within the past 3  
2012 years, a certificate or letter of authorization from the  
2013 licensing authority stating that the applicant holds or has held  
2014 a license to act as an insurance adjuster, agent, or other



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2015 insurance representative. The certificate or letter of  
2016 authorization must be signed by the insurance commissioner, or  
2017 his or her deputy or the appropriate licensing official, and  
2018 must disclose whether the adjuster, agent, or other insurance  
2019 representative has ever had a ~~any~~ license or eligibility to hold  
2020 any license declined, denied, suspended, revoked, or placed on  
2021 probation or whether an administrative fine or penalty has been  
2022 levied against the adjuster and, if so, the reason for the  
2023 action. Such certificate or letter is not required if the  
2024 nonresident applicant's licensing status can be verified through  
2025 the Producer Database maintained by the National Association of  
2026 Insurance Commissioners, its affiliates, or subsidiaries.

2027 (3) The usual and customary records pertaining to  
2028 transactions under the license of a nonresident all-lines  
2029 ~~independent~~ adjuster must be retained for at least 3 years after  
2030 completion of the adjustment and ~~must~~ be made available in this  
2031 state to the department upon request. The failure of a  
2032 nonresident all-lines ~~independent~~ adjuster to properly maintain  
2033 records and make them available to the department upon request  
2034 constitutes grounds for the immediate suspension of the license  
2035 issued under this section.

2036 (4) ~~After licensure as a nonresident independent adjuster,~~  
2037 As a condition of doing business in this state as a nonresident  
2038 independent adjuster, the appointee must licensee must annually  
2039 ~~on or before January 1, on a form prescribed by the department,~~  
2040 submit an affidavit to the department certifying that the  
2041 licensee is familiar with and understands the insurance laws and  
2042 administrative rules of this state and the provisions of the  
2043 contracts negotiated or to be negotiated. Compliance with this



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2044 filing requirement is a condition precedent to the issuance,  
2045 continuation, reinstatement, or renewal of a nonresident  
2046 independent adjuster's appointment.

2047 Section 43. Section 626.8736, Florida Statutes, is amended  
2048 to read:

2049 626.8736 Nonresident independent or public adjusters;  
2050 service of process.—

2051 (1) Each licensed nonresident ~~independent or~~ public  
2052 adjuster or all-lines adjuster appointed as an independent  
2053 adjuster shall appoint the Chief Financial Officer and his or  
2054 her successors in office as his or her attorney to receive  
2055 service of legal process issued against such ~~the nonresident~~  
2056 ~~independent or public~~ adjuster in this state, upon causes of  
2057 action arising within this state out of transactions under his  
2058 license and appointment. Service upon the Chief Financial  
2059 Officer as attorney constitutes ~~shall constitute~~ effective legal  
2060 service upon the nonresident independent or public adjuster.

2061 (2) The appointment of the Chief Financial Officer for  
2062 service of process is ~~shall be~~ irrevocable ~~for~~ as long as there  
2063 could be any cause of action against the nonresident ~~independent~~  
2064 ~~or~~ public adjuster or all-lines adjuster appointed as an  
2065 independent adjuster arising out of his or her insurance  
2066 transactions in this state.

2067 (3) Duplicate copies of legal process against the  
2068 nonresident ~~independent or~~ public adjuster or all-lines adjuster  
2069 appointed as an independent adjuster shall be served upon the  
2070 Chief Financial Officer by a person competent to serve a  
2071 summons.

2072 (4) Upon receiving the service, the Chief Financial Officer





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2073 shall ~~forthwith~~ send one of the copies of the process, by  
2074 registered mail with return receipt requested, to the defendant  
2075 nonresident ~~independent or public adjuster~~ or all-lines adjuster  
2076 appointed as an independent adjuster at his or her last address  
2077 of record with the department.

2078 (5) The Chief Financial Officer shall keep a record of the  
2079 day and hour of service upon him or her of all legal process  
2080 received under this section.

2081 Section 44. Subsection (1) of section 626.874, Florida  
2082 Statutes, is amended to read:

2083 626.874 Catastrophe or emergency adjusters.-

2084 (1) In the event of a catastrophe or emergency, the  
2085 department may issue a license, for the purposes and under the  
2086 conditions ~~which it shall fix~~ and for the period of emergency as  
2087 it shall determine, to persons who are residents or nonresidents  
2088 of this state, who are at least 18 years of age, who are United  
2089 States citizens or legal aliens who possess work authorization  
2090 from the United States Bureau of Citizenship and Immigration  
2091 Services, and who are not licensed adjusters under this part but  
2092 who have been designated and certified to it as qualified to act  
2093 as adjusters by all-lines independent resident adjusters, ~~or~~ by  
2094 an authorized insurer, or by a licensed general lines agent to  
2095 adjust claims, losses, or damages under policies or contracts of  
2096 insurance issued by such insurers. The fee for the license is  
2097 ~~shall be~~ as provided in s. 624.501(12)(c).

2098 Section 45. Subsection (1) of section 626.875, Florida  
2099 Statutes, is amended to read:

2100 626.875 Office and records.-

2101 (1) Each appointed ~~Every licensed~~ independent adjuster and



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2102 ~~every~~ licensed public adjuster must ~~shall have and~~ maintain ~~in~~  
2103 ~~this state~~ a place of business in this state which is accessible  
2104 to the public and keep therein the usual and customary records  
2105 pertaining to transactions under the license. This provision  
2106 does ~~shall~~ not ~~be deemed to~~ prohibit maintenance of such an  
2107 office in the home of the licensee.

2108 Section 46. Section 626.876, Florida Statutes, is amended  
2109 to read:

2110 626.876 Exclusive employment; public adjusters, independent  
2111 adjusters.—

2112 (1) An ~~No~~ individual licensed and appointed as a public  
2113 adjuster may not ~~shall~~ be ~~se~~ employed during the same period by  
2114 more than one public adjuster or public adjuster firm or  
2115 corporation.

2116 (2) An ~~No~~ individual licensed as an all-lines adjuster and  
2117 appointed as an independent adjuster may not ~~shall~~ be ~~se~~  
2118 employed during the same period by more than one independent  
2119 adjuster or independent adjuster firm or corporation.

2120 Section 47. Subsection (2) of section 626.8796, Florida  
2121 Statutes, is amended to read:

2122 626.8796 Public adjuster contracts; fraud statement.—

2123 (2) A public adjuster contract relating to a property and  
2124 casualty claim must contain the full name, permanent business  
2125 address, and license number of the public adjuster; the full  
2126 name of the public adjusting firm; and the insured's full name  
2127 and street address, together with a brief description of the  
2128 loss. The contract must state the percentage of compensation for  
2129 the public adjuster's services; the type of claim, including an  
2130 emergency claim, nonemergency claim, or supplemental claim; the



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2131 signatures of the public adjuster and all named insureds; and  
2132 the signature date. If all of the named insureds' signatures are  
2133 not available, the public adjuster must submit an affidavit  
2134 signed by the available named insureds attesting that they have  
2135 authority to enter into the contract and settle all claim issues  
2136 on behalf of the named insureds. An unaltered copy of the  
2137 executed contract must be remitted to the insurer within 30 days  
2138 after execution. A public adjusting firm that adjusts claims  
2139 primarily for commercial entities with operations in more than  
2140 one state and that does not directly or indirectly perform  
2141 adjusting services for insurers or individual homeowners is  
2142 deemed to comply with the requirements of this subsection if, at  
2143 the time a proof of loss is submitted, the public adjusting firm  
2144 remits to the insurer an affidavit signed by the public adjuster  
2145 or public adjuster apprentice that identifies:

2146 (a) The full name, permanent business address, and license  
2147 number of the public adjuster or public adjuster apprentice.

2148 (b) The full name of the public adjusting firm.

2149 (c) The insured's full name and street address, together  
2150 with a brief description of the loss.

2151 (d) An attestation that the compensation for public  
2152 adjusting services will not exceed the limitations provided by  
2153 law.

2154 (e) The type of claim, including an emergency claim,  
2155 nonemergency claim, or supplemental claim.

2156 Section 48. Subsections (5), (6), and (7) of section  
2157 626.927, Florida Statutes, are amended to read:

2158 626.927 Licensing of surplus lines agent.—

2159 ~~(5) The applicant must file and thereafter maintain the~~



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2160 ~~bond as required under s. 626.928.~~

2161 ~~(5)(6) Examinations as to surplus lines, as required under~~  
2162 ~~subsections (1) and (2), are ~~shall be~~ subject to the provisions~~  
2163 ~~of part I as applicable to applicants for licenses in general.~~  
2164 ~~No such examination shall be required as to persons who held a~~  
2165 ~~Florida surplus lines agent's license as of January 1, 1959,~~  
2166 ~~except when examinations subsequent to issuance of an initial~~  
2167 ~~license are provided for in general under part I.~~

2168 ~~(6)(7) An Any individual who has been licensed by the~~  
2169 ~~department as a surplus lines agent as provided in this section~~  
2170 ~~may be subsequently appointed without additional written~~  
2171 ~~examination if his or her application for appointment is filed~~  
2172 ~~with the department within 48 months after ~~next following~~ the~~  
2173 ~~date of cancellation or expiration of the prior appointment. The~~  
2174 ~~department may, ~~in its discretion,~~ require an any individual to~~  
2175 ~~take and successfully pass an examination as for original~~  
2176 ~~issuance of license as a condition precedent to the~~  
2177 ~~reinstatement or continuation of the licensee's current license~~  
2178 ~~or reinstatement or continuation of the licensee's appointment.~~

2179 Section 49. Section 626.928, Florida Statutes, is repealed.

2180 Section 50. Section 626.933, Florida Statutes, is amended  
2181 to read:

2182 626.933 Collection of tax and service fee.—If the tax or  
2183 service fee payable by a surplus lines agent under the ~~this~~  
2184 Surplus Lines Law is not so paid within the time prescribed, it  
2185 ~~the same~~ shall be recoverable in a suit brought by the  
2186 department against the surplus lines agent ~~and the surety or~~  
2187 ~~sureties on the bond filed by the surplus lines agent under s.~~  
2188 ~~626.928.~~ The department may authorize the Florida Surplus Lines



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2189 Service Office to file suit on its behalf. All costs and  
2190 expenses incurred in a suit brought by the office which are not  
2191 recoverable from the agent or surety shall be borne by the  
2192 office.

2193 Section 51. Subsection (1) of section 626.935, Florida  
2194 Statutes, is amended to read:

2195 626.935 Suspension, revocation, or refusal of surplus lines  
2196 agent's license.—

2197 (1) The department shall deny an application for, suspend,  
2198 revoke, or refuse to renew the appointment of a surplus lines  
2199 agent and all other licenses and appointments held by the  
2200 licensee under this code, on ~~upon~~ any of the following grounds:

2201 (a) Removal of the licensee's office from the licensee's  
2202 state of residence.

2203 (b) Removal of the accounts and records of his or her  
2204 surplus lines business from this state or the licensee's state  
2205 of residence during the period when such accounts and records  
2206 are required to be maintained under s. 626.930.

2207 (c) Closure of the licensee's office for ~~a period of~~ more  
2208 than 30 consecutive days.

2209 (d) Failure to make and file his or her affidavit or  
2210 reports when due as required by s. 626.931.

2211 (e) Failure to pay the tax or service fee on surplus lines  
2212 premiums, as provided ~~for~~ in the ~~this~~ Surplus Lines Law.

2213 ~~(f) Failure to maintain the bond as required by s. 626.928.~~

2214 (f) ~~(g)~~ Suspension, revocation, or refusal to renew or  
2215 continue the license or appointment as a general lines agent,  
2216 service representative, or managing general agent.

2217 (g) ~~(h)~~ Lack of qualifications as for an original surplus



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2218 lines agent's license.

2219 ~~(h)-(i)~~ Violation of this Surplus Lines Law.

2220 ~~(i)-(j)~~ For any other applicable cause for which the license  
2221 of a general lines agent could be suspended, revoked, or refused  
2222 under s. 626.611 or s. 626.621.

2223 Section 52. Paragraph (b) of subsection (1) of section  
2224 627.952, Florida Statutes, is amended to read:

2225 627.952 Risk retention and purchasing group agents.—

2226 (1) Any person offering, soliciting, selling, purchasing,  
2227 administering, or otherwise servicing insurance contracts,  
2228 certificates, or agreements for any purchasing group or risk  
2229 retention group to any resident of this state, either directly  
2230 or indirectly, by the use of mail, advertising, or other means  
2231 of communication, shall obtain a license and appointment to act  
2232 as a resident general lines agent, if a resident of this state,  
2233 or a nonresident general lines agent if not a resident. Any such  
2234 person shall be subject to all requirements of the Florida  
2235 Insurance Code.

2236 (b) Any person required to be licensed and appointed under  
2237 ~~by~~ this subsection, in order to place business through Florida  
2238 eligible surplus lines carriers, must ~~shall~~, if a resident of  
2239 this state, be licensed and appointed as a surplus lines agent.  
2240 ~~Any such person,~~ If not a resident of this state, such person  
2241 must ~~shall~~ be licensed and appointed as a surplus lines agent in  
2242 her or his state of residence and ~~shall~~ file and ~~thereafter~~  
2243 maintain a fidelity bond in favor of the people of the State of  
2244 Florida executed by a surety company admitted in this state and  
2245 payable to the State of Florida; ~~provided,~~ however, any  
2246 ~~activities carried out by~~ such nonresident is ~~pursuant to this~~



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2247 ~~part shall be~~ limited to the provision of insurance for  
2248 purchasing groups. The bond must ~~shall~~ be continuous in form and  
2249 ~~maintained~~ in the amount of not less than \$50,000, aggregate  
2250 liability set out in s. 626.928. The bond must ~~shall~~ remain in  
2251 force and effect until the surety is released from liability by  
2252 the department or until the bond is canceled by the surety. The  
2253 surety may cancel the bond and be released from further  
2254 liability ~~thereunder~~ upon 30 days' prior written notice to the  
2255 department. The cancellation does ~~shall~~ not affect any liability  
2256 incurred or accrued ~~thereunder~~ before the termination of the 30-  
2257 day period. Upon receipt of a notice of cancellation, the  
2258 department shall immediately notify the agent.

2259 Section 53. Subsections (1) and (2) of section 635.051,  
2260 Florida Statutes, are amended to read:

2261 635.051 Licensing and appointment of mortgage guaranty  
2262 insurance agents.—

2263 (1) Effective October 1, 2012, a person may not transact  
2264 mortgage guaranty insurance unless licensed and appointed as a  
2265 credit insurance agent in accordance with the applicable  
2266 provisions of the insurance code. Mortgage guaranty licenses  
2267 held by persons on October 1, 2012, shall be transferred to a  
2268 credit insurance agent license. Persons who wish to obtain a new  
2269 license identification card that reflects this change must  
2270 submit the \$5 fee as prescribed in s. 624.501(15). ~~Agents of~~  
2271 ~~mortgage guaranty insurers shall be licensed and appointed and~~  
2272 ~~shall be subject to the same qualifications and requirements~~  
2273 ~~applicable to general lines agents under the laws of this state,~~  
2274 ~~except that:~~

2275 (a) ~~Particular preliminary specialized education or~~



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2276 ~~training is not required of an applicant for such an agent's~~  
2277 ~~license, and continuing education is not required for renewal of~~  
2278 ~~the agent's appointment if, as part of the application for~~  
2279 ~~license and appointment, the insurer guarantees that the~~  
2280 ~~applicant will receive the necessary training to enable him or~~  
2281 ~~her properly to hold himself or herself out to the public as a~~  
2282 ~~mortgage guaranty insurance agent and if the department, in its~~  
2283 ~~discretion, accepts such guaranty;~~

2284 ~~(b) The agent's license and appointment shall be a limited~~  
2285 ~~license, limited to the handling of mortgage guaranty insurance~~  
2286 ~~only; and~~

2287 ~~(c) An examination may be required of an applicant for such~~  
2288 ~~a license if the insurer fails to provide the guaranty described~~  
2289 ~~in paragraph (a).~~

2290 (2) Any general lines agent licensed under chapter 626 is  
2291 qualified to represent a mortgage guaranty insurer without  
2292 additional licensure examination.

2293 Section 54. Subsection (1) of section 648.34, Florida  
2294 Statutes, is amended to read:

2295 648.34 Bail bond agents; qualifications.—

2296 (1) An application for licensure as a bail bond agent must  
2297 be submitted on forms prescribed by the department. The  
2298 application must include the applicant's full name; date of  
2299 birth; social security number; residence, business, and mailing  
2300 addresses; contact telephone numbers, including a business  
2301 telephone number; and e-mail address.

2302 Section 55. Subsection (2) of section 648.38, Florida  
2303 Statutes, is amended to read:

2304 648.38 Licensure examination for bail bond agents; time;





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2305 place; fees; scope.-

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

2316 Section 56. 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 or~~  
2331 ~~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~~



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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~~  
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 57. Section 648.421, Florida Statutes, is amended  
2362 to read:



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

2375  
2376 ===== T I T L E   A M E N D M E N T =====

2377 And the title is amended as follows:

2378           Delete everything before the enacting clause  
2379 and insert:

2380                           A bill to be entitled  
2381 An act relating to insurance agents and adjusters;  
2382 amending s. 626.015, F.S.; revising the definitions of  
2383 "adjuster" and "home state"; amending s. 626.0428,  
2384 F.S.; revising provisions relating to who may bind  
2385 insurance coverage; amending s. 626.171, F.S.;  
2386 providing that an applicant is responsible for the  
2387 information in an application even if completed by a  
2388 third party; requiring an application to include a  
2389 statement about the method used to meet certain  
2390 requirements; amending s. 626.191, F.S.; revising  
2391 provisions relating to when an applicant may apply for



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2392 a license after an initial application is denied by  
2393 the Department of Financial Services; amending s.  
2394 626.221, F.S.; revising provisions relating to license  
2395 examinations; conforming provisions relating to all-  
2396 lines adjusters; deleting an exemption from  
2397 examination for certain adjusters; amending s.  
2398 626.231, F.S.; providing for submitting an application  
2399 for examination on a designee's website; amending s.  
2400 626.241, F.S.; revising the scope of the examination  
2401 for an all-lines adjuster; amending s. 626.251, F.S.;  
2402 providing for e-mailing notices of examinations;  
2403 amending s. 626.281, F.S.; specifying how many times  
2404 an applicant may take an examination during a year;  
2405 amending s. 626.2815, F.S.; revising provisions  
2406 relating to continuing education requirements;  
2407 providing that persons on active military duty may  
2408 seek a waiver; providing for an update course and the  
2409 contents of such course; deleting requirements  
2410 relating specifically to certain types of insurance;  
2411 providing education requirements for bail bond agents  
2412 and public adjusters; eliminating the continuing  
2413 education advisory board; amending s. 626.292, F.S.;  
2414 conforming provisions to changes made by the act  
2415 relating to all-lines adjusters; amending s. 626.311,  
2416 F.S.; conforming provisions to changes made by the act  
2417 relating to limited licenses; amending s. 626.321,  
2418 F.S.; revising provisions relating to limited  
2419 licenses; prohibiting the future issuance of new  
2420 limited licenses for motor vehicle physical damage and



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2421 mechanical breakdown insurance; combining limited  
2422 licenses relating to credit insurance; specifying  
2423 events covered by crop hail and multiple-peril crop  
2424 insurance; revising in-transit and storage personal  
2425 property insurance to create a limited license for  
2426 portable electronics insurance; amending s. 626.342,  
2427 F.S.; clarifying that the prohibition relating to the  
2428 furnishing of supplies to unlicensed agents applies to  
2429 all unlicensed agents; amending s. 626.381, F.S.;  
2430 revising provisions relating to the reporting of  
2431 administrative actions; amending s. 626.536, F.S.;  
2432 clarifying requirements for reporting administrative  
2433 actions taken against a licensee; amending s. 626.551,  
2434 F.S.; shortening the time within which a licensee must  
2435 report to the department a change in certain  
2436 information; authorizing the Department of Financial  
2437 Services to adopt rules relating to notification of a  
2438 change of address; amending s. 626.621, F.S.; adding  
2439 failure to comply with child support requirements as  
2440 grounds for action against a license; amending s.  
2441 626.641, F.S.; clarifying provisions relating to the  
2442 suspension or revocation of a license or appointment;  
2443 amending s. 626.651, F.S.; revising provisions  
2444 relating to the suspension or revocation of licenses;  
2445 amending ss. 626.730 and 626.732, F.S.; revising  
2446 provisions relating to the purpose of the general  
2447 lines and personal lines license and certain  
2448 requirements related to general lines and personal  
2449 lines agents; conforming provisions to changes made by



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2450 the act relating to limited licenses; amending s.  
2451 626.8411, F.S.; revising requirements and exemptions  
2452 relating to title insurance agents or agencies;  
2453 amending s. 626.8419, F.S.; requiring title insurance  
2454 agencies to obtain surety bonds payable to appointing  
2455 title insurers under certain circumstances; providing  
2456 that such surety bonds must require notification of  
2457 title insurers under certain circumstances; requiring  
2458 title insurance agencies to periodically provide  
2459 certain evidence relating to surety bonds; restricting  
2460 title insurers from providing surety bonds under  
2461 certain circumstances; creating s. 626.8548, F.S.;  
2462 defining the term "all-lines adjuster"; amending s.  
2463 626.855, F.S.; revising the definition of "independent  
2464 adjuster"; amending s. 626.856, F.S.; revising the  
2465 definition of "company employee adjuster"; repealing  
2466 s. 626.858, F.S., relating to defining "nonresident  
2467 company employee adjuster"; amending s. 626.8584,  
2468 F.S.; revising the definition of "nonresident all-  
2469 lines adjuster"; amending s. 626.863, F.S.; conforming  
2470 provisions to changes made by the act relating to all-  
2471 lines adjusters; amending s. 626.864, F.S.; revising  
2472 provisions relating to adjuster license types;  
2473 amending s. 626.865, F.S.; deleting the requirement  
2474 that an applicant for public adjuster be a resident of  
2475 the state; requiring an applicant for public adjuster  
2476 to be licensed as a public adjuster apprentice;  
2477 amending s. 626.8651, F.S.; deleting the requirement  
2478 that an applicant for public adjuster apprentice be a



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2479 resident of the state; providing that a limitation on  
2480 the number of public adjuster apprentices does not  
2481 apply to a public adjusting firm that adjusts claims  
2482 exclusively for institutions that service or guarantee  
2483 mortgages; amending s. 626.866, F.S.; conforming  
2484 provisions to changes made by the act relating to all-  
2485 lines adjusters; repealing s. 626.867, F.S., relating  
2486 to qualifications for company employee adjusters;  
2487 amending s. 626.869, F.S.; revising provisions  
2488 relating to an all-lines adjuster license; ceasing the  
2489 issuance of certain adjuster licenses; revising  
2490 continuing education requirements; amending s.  
2491 626.8697, F.S.; revising provisions relating to the  
2492 violation of rules resulting in the suspension or  
2493 revocation of an adjuster's license; amending s.  
2494 626.872, F.S.; conforming provisions to changes made  
2495 by the act relating to all-lines adjusters; repealing  
2496 s. 626.873, F.S., relating to licensure for  
2497 nonresident company employee adjusters; amending s.  
2498 626.8732, F.S.; revising the requirements for  
2499 nonresident public adjuster licensure; amending s.  
2500 626.8734, F.S.; amending provisions relating to  
2501 nonresident all-lines adjusters; providing for  
2502 verifying an applicant's status through the National  
2503 Association of Insurance Commissioners' Producer  
2504 Database; amending ss. 626.8736, 626.874, 626.875, and  
2505 626.876, F.S.; conforming provisions to changes made  
2506 by the act relating to all-lines adjusters; amending  
2507 s. 626.8796, F.S.; requiring a public adjusting firm



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2508 that adjusts claims exclusively for institutions that  
2509 guarantee or service mortgages to provide an affidavit  
2510 to an insurer with certain information; amending s.  
2511 626.927, F.S.; deleting a requirement that a licensed  
2512 surplus lines agent maintain a bond; repealing s.  
2513 626.928, F.S., relating to a surplus lines agent's  
2514 bond; amending ss. 626.933, 626.935, and 627.952,  
2515 F.S.; conforming cross-references; amending s.  
2516 635.051, F.S.; requiring persons transacting mortgage  
2517 guaranty insurance to be licensed and appointed as a  
2518 credit insurance agent; amending s. 648.34, F.S.;  
2519 requiring application information for bail bond  
2520 agents; amending s. 648.38, F.S.; revising the notice  
2521 of examination requirements for bail bond agents;  
2522 amending s. 648.385, F.S.; revising continuing  
2523 education courses for bail bond agents, to conform to  
2524 changes made by the act; amending s. 648.421, F.S.;  
2525 requiring a bail bond agent to provide notification of  
2526 a change in his or her e-mail address; providing  
2527 effective dates.