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LEGISLATIVE ACTION

Senate

.

House

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Floor: 1/AD/2R

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03/07/2012 10:31 AM

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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.~~ Licensees 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) An individual subject to chapter 648 must complete
677 the 5-hour update course and a minimum of 9 ~~14~~ hours of elective
678 continuing education courses every 2 years.

679 (f) Elective continuing education courses for public
680 adjusters must be specifically designed for public adjusters and



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681 approved by the department. Notwithstanding this subsection,
682 public adjusters for workers' compensation insurance or health
683 insurance are not required to take continuing education courses
684 pursuant to this section.

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

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

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

709 ~~(7) Any person who holds a license to solicit or sell life~~



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

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

724 626.292 Transfer of license from another state.—

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

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

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

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

737 (c) The individual must ~~shall~~ submit a completed
738 application for this state which is received by the department



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739 within 90 days after the date the individual became a resident
740 of this state, along with payment of the applicable fees set
741 forth in s. 624.501 and submission of the following documents:

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

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

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

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

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

765 626.311 Scope of license.—

766 (2) Except with respect ~~as~~ to a limited license as a credit
767 ~~life or disability~~ insurance agent, the license of a life agent



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768 covers ~~shall cover~~ all classes of life insurance business.

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

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

776 626.321 Limited licenses.—

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

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



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797 may renew the license and appointment, but no new or additional
798 licenses may be issued pursuant to this paragraph, and a
799 licensee whose limited license under this paragraph has been
800 terminated, suspended, or revoked may not have such license
801 reinstated.

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

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



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826 license may be issued only:

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

835 2. To an entity or individual that is:

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

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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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

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



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



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942 ~~and credit property insurance.~~

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

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

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



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

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

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

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



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



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1029 ~~to the use of such devices, such as consumer access to a~~
1030 ~~wireless network; however, the term does not include~~
1031 ~~telecommunications switching equipment, transmission wires, cell~~
1032 ~~site transceiver equipment, or other equipment and systems used~~
1033 ~~by telecommunications companies to provide telecommunications~~
1034 ~~service to consumers. A branch location of a retail vendor of~~
1035 ~~communications equipment licensed pursuant to paragraph (2) (b)~~
1036 ~~may, in lieu of obtaining an appointment from an insurer or~~
1037 ~~warranty association as provided in paragraph (2) (c), obtain a~~
1038 ~~single appointment from the associated lead business location~~
1039 ~~licensee licensed under paragraph (2) (a) and pay the prescribed~~
1040 ~~appointment fee under s. 624.501 provided the lead business~~
1041 ~~location has a single appointment from each insurer or warranty~~
1042 ~~association represented and such appointment provides that it~~
1043 ~~applies to the lead business location and all of its branch~~
1044 ~~locations. Any branch location individually appointed by an~~
1045 ~~insurer under paragraph (2) (c) prior to January 1, 2006, may~~
1046 ~~replace its appointments with an appointment from its lead~~
1047 ~~location at no charge. Branch location appointments shall be~~
1048 ~~renewed on the first annual anniversary of licensure of the lead~~
1049 ~~business location occurring more than 24 months after the~~
1050 ~~initial appointment date and every 24 months thereafter.~~
1051 ~~Notwithstanding s. 624.501, after July 1, 2006, the renewal fee~~
1052 ~~applicable to such branch location appointments shall be \$30 per~~
1053 ~~appointment.~~

1054 (h) Portable electronics insurance.—License for property
1055 insurance or inland marine insurance that covers only loss,
1056 theft, mechanical failure, malfunction, or damage for portable
1057 electronics.



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



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1087 coverage. However, a licensee who uses a compensation plan for
1088 employees and authorized representatives which includes
1089 supplemental compensation for the sale of noninsurance products,
1090 in addition to a regular salary or hourly wages, may include
1091 incidental compensation for the sale of portable electronics
1092 insurance as a component of the overall compensation plan.

1093 4. Brochures or other written materials related to portable
1094 electronics insurance must:

1095 a. Disclose that such insurance may duplicate coverage
1096 already provided by a customer's homeowners' insurance policy,
1097 renters' insurance policy, or other source of coverage;

1098 b. State that enrollment in insurance coverage is not
1099 required in order to purchase or lease portable electronics or
1100 services;

1101 c. Summarize the material terms of the insurance coverage,
1102 including the identity of the insurer, the identity of the
1103 supervising entity, the amount of any applicable deductible and
1104 how it is to be paid, the benefits of coverage, and key terms
1105 and conditions of coverage, such as whether portable electronics
1106 may be repaired or replaced with similar make and model
1107 reconditioned or nonoriginal manufacturer parts or equipment;

1108 d. Summarize the process for filing a claim, including a
1109 description of how to return portable electronics and the
1110 maximum fee applicable if the customer fails to comply with
1111 equipment return requirements; and

1112 e. State that an enrolled customer may cancel coverage at
1113 any time and that the person paying the premium will receive a
1114 refund of any unearned premium.

1115 5. A licensed and appointed general lines agent is not



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1116 required to obtain a portable electronics insurance license to
1117 offer or sell portable electronics insurance at locations
1118 already licensed as an insurance agency, but may apply for a
1119 portable electronics insurance license for branch locations not
1120 otherwise licensed to sell insurance.

1121 6. A portable electronics license authorizes the sale of
1122 individual policies or certificates under a group or master
1123 insurance policy. The license also authorizes the sale of
1124 service warranty agreements covering only portable electronics
1125 to the same extent as if licensed under s. 634.419 or s.
1126 634.420.

1127 7. A licensee may bill and collect the premium for the
1128 purchase of portable electronics insurance provided that:

1129 a. If the insurance is included with the purchase or lease
1130 of portable electronics or related services, the licensee
1131 clearly and conspicuously discloses that insurance coverage is
1132 included with the purchase. Disclosure of the stand-alone cost
1133 of the premium for same or similar insurance must be made on the
1134 customer's bill and in any marketing materials made available at
1135 the point of sale. If the insurance is not included, the charge
1136 to the customer for the insurance must be separately itemized on
1137 the customer's bill.

1138 b. Premiums are incidental to other fees collected, are
1139 maintained in a manner that is readily identifiable, and are
1140 accounted for and remitted to the insurer or supervising entity
1141 within 60 days of receipt. Licensees are not required to
1142 maintain such funds in a segregated account.

1143 c. All funds received by a licensee from an enrolled
1144 customer for the sale of the insurance are considered funds held



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1145 in trust by the licensee in a fiduciary capacity for the benefit
1146 of the insurer. Licensees may receive compensation for billing
1147 and collection services.

1148 8. Notwithstanding any other provision of law, the terms
1149 for the termination or modification of coverage under a policy
1150 of portable electronics insurance are those set forth in the
1151 policy.

1152 9. Notice or correspondence required by the policy, or
1153 otherwise required by law, may be provided by electronic means
1154 if the insurer or licensee maintains proof that the notice or
1155 correspondence was sent. Such notice or correspondence may be
1156 sent on behalf of the insurer or licensee by the general lines
1157 agent appointed by the insurer to supervise the administration
1158 of the program. For purposes of this subparagraph, an enrolled
1159 customer's provision of an electronic mail address to the
1160 insurer or licensee is deemed to be consent to receive notices
1161 and correspondence by electronic means if a conspicuously
1162 located disclosure is provided to the customer indicating the
1163 same.

1164 10. The provisions of this chapter requiring submission of
1165 fingerprints do not apply to licenses issued to qualified
1166 entities under this paragraph.

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



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1174 business location and all of its branch locations. Branch
1175 location appointments shall be renewed 24 months after the
1176 initial appointment date of the lead business location and every
1177 24 months thereafter. Notwithstanding s. 624.501, the renewal
1178 fee applicable to such branch location appointments is \$30 per
1179 appointment.

1180 12. For purposes of this paragraph:

1181 a. "Branch location" means any physical location in this
1182 state at which a licensee offers its products or services for
1183 sale.

1184 b. "Portable electronics" means personal, self-contained,
1185 easily carried by an individual, battery-operated electronic
1186 communication, viewing, listening, recording, gaming, computing
1187 or global positioning devices, including cell or satellite
1188 phones, pagers, personal global positioning satellite units,
1189 portable computers, portable audio listening, video viewing or
1190 recording devices, digital cameras, video camcorders, portable
1191 gaming systems, docking stations, automatic answering devices,
1192 and other similar devices and their accessories, and service
1193 related to the use of such devices.

1194 c. "Portable electronics transaction" means the sale or
1195 lease of portable electronics or a related service, including
1196 portable electronics insurance.

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



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1203 or burglary insurance, motor vehicle rental insurance, credit
1204 insurance, crop hail and multiple-peril crop insurance, in-
1205 transit and storage personal property insurance, or portable
1206 electronics insurance ~~communications equipment property~~
1207 ~~insurance or communications equipment inland marine insurance,~~
1208 ~~baggage and motor vehicle excess liability insurance, or credit~~
1209 ~~insurance;~~ or as apply to life agents or health agents in
1210 general, as applicable ~~the case may be~~, if licensed as to travel
1211 ~~personal accident insurance or credit life or credit disability~~
1212 ~~insurance.~~

1213 Section 15. Section 626.342, Florida Statutes, is amended
1214 to read:

1215 626.342 Furnishing supplies to unlicensed ~~life, health, or~~
1216 ~~general lines~~ agent prohibited; civil liability.-

1217 (1) An insurer, a managing general agent, an insurance
1218 agency, or an agent, directly or through a ~~any~~ representative,
1219 may not furnish to an ~~any~~ agent any blank forms, applications,
1220 stationery, or other supplies to be used in soliciting,
1221 negotiating, or effecting contracts of insurance on its behalf
1222 unless such blank forms, applications, stationery, or other
1223 supplies relate to a class of business for ~~with respect to~~ which
1224 the agent is licensed and appointed, whether for that insurer or
1225 another insurer.

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



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1232 and ~~in the same~~ manner as if such agent or prospective agent had
1233 been appointed or authorized by the insurer or such agent to act
1234 on ~~in~~ its or his or her behalf. The provisions of this
1235 subsection do not apply to insurance risk apportionment plans
1236 under s. 627.351.

1237 (3) This section does not apply to the placing of surplus
1238 lines business under the provisions of ss. 626.913-626.937.

1239 Section 16. Subsection (1) of section 626.381, Florida
1240 Statutes, is amended to read:

1241 626.381 Renewal, continuation, reinstatement, or
1242 termination of appointment.-

1243 (1) The appointment of an appointee continues ~~shall~~
1244 ~~continue~~ in force until suspended, revoked, or otherwise
1245 terminated, but is subject to a renewal request filed by the
1246 appointing entity in the appointee's birth month as to natural
1247 persons or the month the original appointment was issued ~~license~~
1248 ~~date~~ as to entities and every 24 months thereafter, accompanied
1249 by payment of the renewal appointment fee and taxes as
1250 prescribed in s. 624.501.

1251 Section 17. Section 626.536, Florida Statutes, is amended
1252 to read:

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



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1261 licensee or insurance agency must submit a copy of the order,
1262 consent to order, or other relevant legal documents to the
1263 department. The department may adopt rules to administer
1264 ~~implementing the provisions of~~ this section.

1265 Section 18. Section 626.551, Florida Statutes, is amended
1266 to read:

1267 626.551 Notice of change of address, name.—~~A Every~~ Every licensee
1268 must shall notify the department, in writing, within 30 60 days
1269 after a change of name, residence address, principal business
1270 street address, mailing address, contact telephone numbers,
1271 including a business telephone number, or e-mail address. A
1272 licensee licensed agent who has moved his or her principal place
1273 of residence and principal place of business from this state
1274 shall have his or her license and all appointments immediately
1275 terminated by the department. Failure to notify the department
1276 within the required time ~~period~~ shall result in a fine not to
1277 exceed \$250 for the first offense and, ~~for subsequent offenses,~~
1278 a fine of at least \$500 or suspension or revocation of the
1279 license pursuant to s. 626.611, s. 626.6115, ~~or~~ s. 626.621, or
1280 s. 626.6215 for a subsequent offense. The department may adopt
1281 rules to administer and enforce this section.

1282 Section 19. Subsection (14) is added to section 626.621,
1283 Florida Statutes, to read:

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



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1290 customer representative, service representative, or managing
1291 general agent, and it may suspend or revoke the eligibility to
1292 hold a license or appointment of any such person, if it finds
1293 that as to the applicant, licensee, or appointee any one or more
1294 of the following applicable grounds exist under circumstances
1295 for which such denial, suspension, revocation, or refusal is not
1296 mandatory under s. 626.611:

1297 (14) Failure to comply with any civil, criminal, or
1298 administrative action taken by the child support enforcement
1299 program under Title IV-D of the Social Security Act, 42 U.S.C.
1300 ss. 651 et seq., to determine paternity or to establish, modify,
1301 enforce, or collect support.

1302 Section 20. Subsection (4) of section 626.641, Florida
1303 Statutes, is amended to read:

1304 626.641 Duration of suspension or revocation.—

1305 (4) During the period of suspension or revocation of a the
1306 license or appointment, and until the license is reinstated or,
1307 if revoked, a new license issued, the former licensee or
1308 appointee may shall not engage in or attempt or profess to
1309 engage in any transaction or business for which a license or
1310 appointment is required under this code or directly or
1311 indirectly own, control, or be employed in any manner by an any
1312 insurance agent, or agency, or adjuster, or adjusting firm.

1313 Section 21. Subsection (1) of section 626.651, Florida
1314 Statutes, is amended to read:

1315 626.651 Effect of suspension, revocation upon associated
1316 licenses and appointments and licensees and appointees.—

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



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1319 ~~representative~~, or upon suspension or revocation of eligibility
1320 to hold a license or appointment, the department shall at the
1321 same time likewise suspend or revoke all other licenses,
1322 appointments, or status of eligibility held by the licensee or
1323 appointee under this code.

1324 Section 22. Subsection (4) of section 626.730, Florida
1325 Statutes, is amended, and subsection (5) of that section is
1326 created, to read:

1327 626.730 Purpose of license.—

1328 (4) This section does not prohibit ~~the licensing under a~~
1329 licensee holding a limited license for credit insurance or as to
1330 motor vehicle physical damage and mechanical breakdown insurance
1331 from being or credit property insurance of any person employed
1332 by or associated with a motor vehicle sales or financing agency,
1333 a retail sales establishment, or a consumer loan office for the
1334 purpose of insuring, ~~other than a consumer loan office owned by~~
1335 ~~or affiliated with a financial institution as defined in s.~~
1336 ~~655.005, with respect to insurance of the interest of such~~
1337 entity agency in a motor vehicle sold or financed by it or in
1338 personal property if used as collateral for a loan.

1339 (5) This section does not apply ~~with respect~~ to the
1340 interest of a real estate mortgagee in or as to insurance
1341 covering such interest or in the real estate subject to such
1342 mortgage.

1343 Section 23. Section 626.732, Florida Statutes, is amended
1344 to read:

1345 626.732 Requirement as to knowledge, experience, or
1346 instruction.—

1347 (1) Except as provided in subsection (4) ~~(3)~~, an ~~no~~



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1348 applicant for a license as a general lines agent ~~or personal~~
1349 ~~lines agent~~, except for a chartered property and casualty
1350 underwriter (CPCU), may not ~~other than as to a limited license~~
1351 ~~as to baggage and motor vehicle excess liability insurance,~~
1352 ~~credit property insurance, credit insurance, in-transit and~~
1353 ~~storage personal property insurance, or communications equipment~~
1354 ~~property insurance or communication equipment inland marine~~
1355 ~~insurance, shall~~ be qualified or licensed unless, within the 4
1356 years immediately preceding the date the application for license
1357 is filed with the department, the applicant has:

1358 (a) Taught or successfully completed classroom courses in
1359 insurance, 3 hours of which must ~~shall~~ be on the subject matter
1360 of ethics, ~~satisfactory to the department~~ at a school, college,
1361 or extension division thereof, approved by the department. ~~To~~
1362 ~~qualify for licensure as a personal lines agent, the applicant~~
1363 ~~must complete a total of 52 hours of classroom courses in~~
1364 ~~insurance;~~

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



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1377 ~~responsible insurance duties as a substantially full-time~~
1378 ~~employee in property and casualty insurance sold to individuals~~
1379 ~~and families for noncommercial purposes;~~

1380 (c) ~~For licensure as a general lines agent,~~ Completed at
1381 least 1 year in responsible insurance duties as a substantially
1382 full-time bona fide employee in all lines of property and
1383 casualty insurance, ~~exclusive of aviation and wet marine and~~
1384 ~~transportation insurances but not exclusive of boats of less~~
1385 ~~than 36 feet in length or aircraft not held out for hire,~~ as set
1386 forth in the definition of a general lines agent under s.
1387 626.015, but without the education requirement described
1388 ~~mentioned in paragraph (a) or paragraph (b) or, for licensure as~~
1389 ~~a personal lines agent, has completed at least 6 months in~~
1390 ~~responsible insurance duties as a substantially full-time~~
1391 ~~employee in property and casualty insurance sold to individuals~~
1392 ~~and families for noncommercial purposes without the education~~
1393 ~~requirement in paragraph (a) or paragraph (b);~~

1394 (d)1. ~~For licensure as a general lines agent,~~ Completed at
1395 least 1 year of responsible insurance duties as a licensed and
1396 appointed customer representative or limited customer
1397 representative in commercial or personal lines of property and
1398 casualty insurance and 40 hours of classroom courses approved by
1399 the department covering the areas of property, casualty, surety,
1400 health, and marine insurance; or

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



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1406 ~~approved by the department which are related to property and~~
1407 ~~casualty insurance sold to individuals and families for~~
1408 ~~noncommercial purposes;~~

1409 ~~(e)1. For licensure as a general lines agent, Completed at~~
1410 ~~least 1 year of responsible insurance duties as a licensed and~~
1411 ~~appointed service representative in either commercial or~~
1412 ~~personal lines of property and casualty insurance and 80 hours~~
1413 ~~of classroom courses approved by the department covering the~~
1414 ~~areas of property, casualty, surety, health, and marine~~
1415 ~~insurance.; or~~

1416 ~~2. For licensure as a personal lines agent, completed at~~
1417 ~~least 6 months of responsible insurance duties as a licensed and~~
1418 ~~appointed service representative in property and casualty~~
1419 ~~insurance sold to individuals and families for noncommercial~~
1420 ~~purposes and 40 hours of classroom courses approved by the~~
1421 ~~department related to property and casualty insurance sold to~~
1422 ~~individuals and families for noncommercial purposes; or~~

1423 (2) Except as provided under subsection (4), an applicant
1424 for a license as a personal lines agent, except for a chartered
1425 property and casualty underwriter (CPCU), may not be qualified
1426 or licensed unless, within the 4 years immediately preceding the
1427 date the application for license is filed with the department,
1428 the applicant has:

1429 (a) Taught or successfully completed classroom courses in
1430 insurance, 3 hours of which must be on the subject matter of
1431 ethics, at a school, college, or extension division thereof,
1432 approved by the department. To qualify for licensure, the
1433 applicant must complete a total of 52 hours of classroom courses
1434 in insurance;



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1435 (b) Completed a correspondence course in insurance, 3 hours
1436 of which must be on the subject matter of ethics, which is
1437 regularly offered by accredited institutions of higher learning
1438 in this state or extensions thereof and approved by the
1439 department, and completed at least 3 months of responsible
1440 insurance duties as a substantially full-time employee in the
1441 area of property and casualty insurance sold to individuals and
1442 families for noncommercial purposes;

1443 (c) Completed at least 6 months of responsible insurance
1444 duties as a substantially full-time employee in the area of
1445 property and casualty insurance sold to individuals and families
1446 for noncommercial purposes, but without the education
1447 requirement described in paragraph (a) or paragraph (b);

1448 (d) Completed at least 6 months of responsible duties as a
1449 licensed and appointed customer representative or limited
1450 customer representative in property and casualty insurance sold
1451 to individuals and families for noncommercial purposes and 20
1452 hours of classroom courses approved by the department which are
1453 related to property and casualty insurance sold to individuals
1454 and families for noncommercial purposes;

1455 (e) Completed at least 6 months of responsible insurance
1456 duties as a licensed and appointed service representative in
1457 property and casualty insurance sold to individuals and families
1458 for noncommercial purposes and 40 hours of classroom courses
1459 approved by the department related to property and casualty
1460 insurance sold to individuals and families for noncommercial
1461 purposes; or

1462 ~~(f) For licensure as a personal lines agent,~~ Completed at
1463 least 3 years of responsible duties as a licensed and appointed



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1464 customer representative in property and casualty insurance sold
1465 to individuals and families for noncommercial purposes.

1466 ~~(3)~~ (2) ~~If~~ Where an applicant's qualifications as required
1467 under subsection (1) or subsection (2) in paragraph (1)(b) or
1468 paragraph (1)(c) are based in part upon ~~the~~ periods of
1469 employment in ~~at~~ responsible insurance duties ~~prescribed~~
1470 ~~therein~~, the applicant shall submit with the license application
1471 ~~for license~~, on a form prescribed by the department, an ~~the~~
1472 affidavit of his or her employer setting forth the period of
1473 such employment, that the employment ~~same~~ was substantially
1474 full-time, and giving a brief abstract of the nature of the
1475 duties performed by the applicant.

1476 ~~(4)~~ (3) An individual who was or became qualified to sit for
1477 an agent's, customer representative's, or adjuster's examination
1478 at or during the time he or she was employed by the department
1479 or office and who, while so employed, was employed in
1480 responsible insurance duties as a full-time bona fide employee
1481 may ~~shall be permitted to~~ take an examination if application for
1482 such examination is made within 90 days after the date of
1483 termination of ~~his or her~~ employment with the department or
1484 office.

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



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1493 regulation thereof.

1494 (6) This section does not apply to an individual holding
1495 only a limited license for travel insurance, motor vehicle
1496 rental insurance, credit insurance, in-transit and storage
1497 personal property insurance, or portable electronics insurance.

1498 Section 24. Section 626.8411, Florida Statutes, is amended
1499 to read:

1500 626.8411 Application of Florida Insurance Code provisions
1501 to title insurance agents or agencies.—

1502 (1) The following provisions of part II, ~~as~~ applicable to
1503 general lines agents or agencies, ~~also~~ apply to title insurance
1504 agents or agencies:

1505 (a) Section 626.734, relating to liability of certain
1506 agents.

1507 ~~(b) Section 626.175, relating to temporary licenses.~~

1508 (b) ~~(e)~~ Section 626.747, relating to branch agencies.

1509 (c) Section 626.749, relating to place of business in
1510 residence.

1511 (d) Section 626.753, relating to sharing of commissions.

1512 (e) Section 626.754, relating to rights of agent following
1513 termination of appointment.

1514 (2) The following provisions of part I do not apply to
1515 title insurance agents or title insurance agencies:

1516 (a) Section 626.112(7), relating to licensing of insurance
1517 agencies.

1518 (b) Section 626.231, relating to eligibility for
1519 examination.

1520 (c) Section 626.572, relating to rebating, when allowed.

1521 (d) Section 626.172, relating to agent in full-time charge.



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1522 Section 25. Subsection (1) of section 626.8419, Florida
1523 Statutes, is amended to read:

1524 626.8419 Appointment of title insurance agency.—

1525 (1) The title insurer engaging or employing the title
1526 insurance agency must file with the department, on ~~printed~~ forms
1527 furnished by the department, an application certifying that the
1528 proposed title insurance agency meets all of the following
1529 requirements:

1530 (a) The agency must have obtained a fidelity bond in an
1531 amount, not less than \$50,000, acceptable to the insurer
1532 appointing the agency. If a fidelity bond is unavailable
1533 generally, the department must adopt rules for alternative
1534 methods to comply with this paragraph.

1535 (b) The agency must have obtained errors and omissions
1536 insurance in an amount acceptable to the insurer appointing the
1537 agency. The amount of the coverage may not be less than \$250,000
1538 per claim and an aggregate limit with a deductible no greater
1539 than \$10,000. If errors and omissions insurance is unavailable
1540 generally, the department must adopt rules for alternative
1541 methods to comply with this paragraph.

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



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1551 bond or the bond is terminated.

1552 (d) The surety bond must remain in effect and unimpaired as
1553 long as the agency is appointed by a title insurer. The agency
1554 must provide written proof to the appointing title insurer or
1555 insurers on an annual basis evidencing that the surety bond is
1556 still in effect and unimpaired.

1557 (e) A title insurer may not provide the surety bond
1558 directly or indirectly on behalf of the agency.

1559 Section 26. Section 626.8548, Florida Statutes, is created
1560 to read:

1561 626.8548 "All-lines adjuster" defined.—An "all-lines
1562 adjuster" is a person who is self-employed or employed by an
1563 insurer, a wholly owned subsidiary of an insurer, or an
1564 independent adjusting firm or other independent adjuster, and
1565 who undertakes on behalf of an insurer or other insurers under
1566 common control or ownership to ascertain and determine the
1567 amount of any claim, loss, or damage payable under an insurance
1568 contract or undertakes to effect settlement of such claim, loss,
1569 or damage. The term does not apply to life insurance or annuity
1570 contracts.

1571 Section 27. Section 626.855, Florida Statutes, is amended
1572 to read:

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



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1580 undertakes to effect settlement of such claim, loss, or damage.

1581 Section 28. Section 626.856, Florida Statutes, is amended
1582 to read:

1583 626.856 "Company employee adjuster" defined.—A "company
1584 employee adjuster" means ~~is~~ a person licensed as an all-lines
1585 adjuster who is appointed and employed on an insurer's staff of
1586 adjusters or a wholly owned subsidiary of the insurer, and who
1587 undertakes on behalf of such insurer or other insurers under
1588 common control or ownership to ascertain and determine the
1589 amount of any claim, loss, or damage payable under a contract of
1590 insurance, or undertakes to effect settlement of such claim,
1591 loss, or damage.

1592 Section 29. Section 626.858, Florida Statutes, is repealed.

1593 Section 30. Section 626.8584, Florida Statutes, is amended
1594 to read:

1595 626.8584 "Nonresident all-lines independent adjuster"
1596 defined.—A "nonresident all-lines independent adjuster" means ~~is~~
1597 a person who:

1598 (1) Is not a resident of this state;

1599 (2) Is ~~a~~ currently licensed as an independent adjuster in
1600 his or her state of residence for all lines of insurance except
1601 life and annuities ~~the type or kinds of insurance for which the~~
1602 ~~licensee intends to adjust claims in this state or, if a~~
1603 resident of a state that does not license such independent
1604 adjusters, meets the qualifications ~~has passed the department's~~
1605 ~~adjuster examination as~~ prescribed in s. 626.8734(1)(b); and

1606 (3) Is licensed as an all-lines adjuster and self-appointed
1607 or appointed and ~~a self-employed independent adjuster or~~
1608 ~~associated with or~~ employed by an independent adjusting firm or



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1609 other independent adjuster, by an insurer admitted to do
1610 business in this state or a wholly-owned subsidiary of an
1611 insurer admitted to do business in this state, or by other
1612 insurers under the common control or ownership of such insurer.

1613 Section 31. Section 626.863, Florida Statutes, is amended
1614 to read:

1615 626.863 Claims referrals to Licensed independent adjusters
1616 ~~required; insurers' responsibility.~~

1617 (1) An insurer may ~~shall~~ not knowingly refer any claim or
1618 loss for adjustment in this state to any person purporting to be
1619 or acting as an independent adjuster unless the person is
1620 currently licensed as an all-lines adjuster and appointed as an
1621 independent adjuster under this code.

1622 (2) Before referring any claim or loss, the insurer shall
1623 ascertain from the department whether the proposed independent
1624 adjuster is currently licensed as an all-lines adjuster and
1625 appointed as an independent adjuster ~~such~~. Having ~~once~~
1626 ascertained that a particular person is so licensed and
1627 appointed, the insurer may assume that he or she will continue
1628 to be so licensed and appointed until the insurer has knowledge,
1629 or receives information from the department, to the contrary.

1630 (3) This section does not apply to catastrophe or emergency
1631 adjusters as provided ~~for~~ in this part.

1632 Section 32. Section 626.864, Florida Statutes, is amended
1633 to read:

1634 626.864 Adjuster license types.—

1635 (1) A qualified individual may be licensed ~~and appointed~~ as
1636 ~~either:~~

1637 (a) A public adjuster; or



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1638 (b) An all-lines independent adjuster, ~~or~~
1639 ~~(c) A company employee adjuster.~~

1640 (2) The same individual may ~~shall~~ not be concurrently
1641 licensed appointed as a public adjuster and an all-lines
1642 adjuster to more than one of the adjuster types referred to in
1643 subsection (1).

1644 (3) An all-lines adjuster may be appointed as an
1645 independent adjuster or company employee adjuster, but not both
1646 concurrently.

1647 Section 33. Subsection (1) of section 626.865, Florida
1648 Statutes, is amended to read:

1649 626.865 Public adjuster's qualifications, bond.-

1650 (1) The department shall issue a license to an applicant
1651 for a public adjuster's license upon determining that the
1652 applicant has paid the applicable fees specified in s. 624.501
1653 and possesses the following qualifications:

1654 (a) Is a natural person at least 18 years of age.

1655 (b) Is a United States citizen or legal alien who possesses
1656 work authorization from the United States Bureau of Citizenship
1657 and Immigration Services ~~and a bona fide resident of this state.~~

1658 (c) Is trustworthy and has such business reputation as
1659 would reasonably assure that the applicant will conduct his or
1660 her business as insurance adjuster fairly and in good faith and
1661 without detriment to the public.

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



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1667 adequate knowledge of the laws of this state relating to such
1668 contracts as to enable and qualify him or her to engage in the
1669 business of insurance adjuster fairly and without injury to the
1670 public or any member thereof with whom the applicant may have
1671 business as a public adjuster, or has been licensed and employed
1672 as a resident insurance company adjuster or independent adjuster
1673 in this state on a continual basis for the past year.

1674 (e) Is licensed as a public adjuster apprentice under s.
1675 626.8651 and complies with the requirements of that license
1676 throughout the licensure period.

1677 Section 34. Paragraph (b) of subsection (1) and subsection
1678 (7) of section 626.8651, Florida Statutes, are amended to read:
1679 626.8651 Public adjuster apprentice license;
1680 qualifications.—

1681 (1) The department shall issue a license as a public
1682 adjuster apprentice to an applicant who is:

1683 (b) A United States citizen or legal alien who possesses
1684 work authorization from the United States Bureau of Citizenship
1685 and Immigration Services ~~and is a resident of this state.~~

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



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1696 for insurers or individual homeowners.

1697 Section 35. Section 626.866, Florida Statutes, is amended
1698 to read:

1699 626.866 All-lines adjuster ~~Independent adjuster's~~
1700 qualifications.—The department shall issue ~~a license to an~~
1701 ~~applicant for an~~ all-lines adjuster ~~independent adjuster's~~
1702 license to an applicant upon determining that the applicable
1703 license fee specified in s. 624.501 has been paid and that the
1704 applicant possesses the following qualifications:

1705 (1) Is a natural person at least 18 years of age.

1706 (2) Is a United States citizen or legal alien who possesses
1707 work authorization from the United States Bureau of Citizenship
1708 and Immigration Services and a bona fide resident of this state.

1709 (3) Is trustworthy and has such business reputation as
1710 would reasonably assure that the applicant will conduct his or
1711 her business as insurance adjuster fairly and in good faith and
1712 without detriment to the public.

1713 (4) Has had sufficient experience, training, or instruction
1714 concerning the adjusting of damage or loss under insurance
1715 contracts, other than life and annuity contracts, is
1716 sufficiently informed as to the terms and the effects of the
1717 provisions of such types of contracts, and possesses adequate
1718 knowledge of the insurance laws of this state relating to such
1719 contracts as to enable and qualify him or her to engage in the
1720 business of insurance adjuster fairly and without injury to the
1721 public or any member thereof with whom he or she may have
1722 relations as an insurance adjuster and to adjust all claims in
1723 accordance with the policy or contract and the insurance laws of
1724 this state.



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1725 (5) Has passed any required written examination or has met
1726 one of the exemptions prescribed under s. 626.221.

1727 Section 36. Section 626.867, Florida Statutes, is repealed.

1728 Section 37. Section 626.869, Florida Statutes, is amended
1729 to read:

1730 626.869 License, adjusters; continuing education.—

1731 (1) Having An applicant for a license as an all-lines
1732 adjuster qualifies the licensee to adjust ~~may qualify and his or~~
1733 ~~her license when issued may cover adjusting in any one of the~~
1734 ~~following classes of insurance:~~

1735 ~~(a) all lines of insurance except life and annuities.~~

1736 ~~(b) Motor vehicle physical damage insurance.~~

1737 ~~(c) Property and casualty insurance.~~

1738 ~~(d) Workers' compensation insurance.~~

1739 ~~(e) Health insurance.~~

1740
1741 ~~No examination on workers' compensation insurance or health~~
1742 ~~insurance shall be required for public adjusters.~~

1743 (2) All individuals who on October 1, 1990, hold an
1744 adjuster's license and appointment limited to fire and allied
1745 lines, including marine or casualty or boiler and machinery, may
1746 remain licensed and appointed under the limited license and may
1747 renew their appointment, but a ~~ne~~ license or appointment that
1748 ~~which~~ has been terminated, not renewed, suspended, or revoked
1749 may not shall be reinstated, and ~~ne~~ new or additional licenses
1750 or appointments may not shall be issued.

1751 (3) All individuals who on October 1, 2012, hold an
1752 adjuster's license and appointment limited to motor vehicle
1753 physical damage and mechanical breakdown, property and casualty,



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1754 workers' compensation, or health insurance may remain licensed
1755 and appointed under such limited license and may renew their
1756 appointment, but a license that has been terminated, suspended,
1757 or revoked may not be reinstated, and new or additional licenses
1758 may not be issued. The applicant's application for license shall
1759 specify which of the foregoing classes of business the
1760 application for license is to cover.

1761 (4) ~~(a)~~ An Any individual holding a license as a public
1762 adjuster or an all-lines a company employee adjuster must
1763 complete all continuing education requirements as specified in
1764 s. 626.2815. or independent adjuster for 24 consecutive months
1765 or longer must, beginning in his or her birth month and every 2
1766 years thereafter, have completed 24 hours of courses, 2 hours of
1767 which relate to ethics, in subjects designed to inform the
1768 licensee regarding the current insurance laws of this state, so
1769 as to enable him or her to engage in business as an insurance
1770 adjuster fairly and without injury to the public and to adjust
1771 all claims in accordance with the policy or contract and the
1772 laws of this state.

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



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1783 ~~used by insurers, other than forms for life insurance and~~
1784 ~~annuities, so as to enable him or her to engage in business as~~
1785 ~~an adjuster fairly and without injury to the public and to~~
1786 ~~adjust all claims in accordance with the policy or contract and~~
1787 ~~laws of this state. In order to receive credit for continuing~~
1788 ~~education courses, public adjusters must take courses that are~~
1789 ~~specifically designed for public adjusters and approved by the~~
1790 ~~department, provided, however, no continuing education course~~
1791 ~~shall be required for public adjusters for workers' compensation~~
1792 ~~insurance or health insurance.~~

1793 ~~(c) The department shall adopt rules necessary to implement~~
1794 ~~and administer the continuing education requirements of this~~
1795 ~~subsection. For good cause shown, the department may grant an~~
1796 ~~extension of time during which the requirements imposed by this~~
1797 ~~section may be completed, but such extension of time may not~~
1798 ~~exceed 1 year.~~

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



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1812 ~~continuing education requirements of this section.~~

1813 (5) The regulation of continuing education for licensees,
1814 course providers, instructors, school officials, and monitor
1815 groups shall be as provided ~~for~~ in s. 626.2816.

1816 Section 38. Paragraph (c) of subsection (2) of section
1817 626.8697, Florida Statutes, is amended to read:

1818 626.8697 Grounds for refusal, suspension, or revocation of
1819 adjusting firm license.—

1820 (2) The department may, in its discretion, deny, suspend,
1821 revoke, or refuse to continue the license of any adjusting firm
1822 if it finds that any of the following applicable grounds exist
1823 with respect to the firm or any owner, partner, manager,
1824 director, officer, or other person who is otherwise involved in
1825 the operation of the firm:

1826 (c) Violation of an ~~any~~ order or rule of the department,
1827 office, or commission.

1828 Section 39. Subsections (1) and (5) of section 626.872,
1829 Florida Statutes, are amended to read:

1830 626.872 Temporary license.—

1831 (1) The department may, ~~in its discretion,~~ issue a
1832 temporary license as an all-lines independent adjuster ~~or as a~~
1833 ~~company employee adjuster,~~ subject to the following conditions:

1834 (a) The applicant must be an employee of an adjuster
1835 currently licensed by the department, ~~an employee of an~~
1836 authorized insurer, or ~~an employee of an~~ established adjusting
1837 firm or corporation who ~~which~~ is supervised by a currently
1838 licensed all-lines independent adjuster.

1839 ~~(b) The application must be accompanied by a certificate of~~
1840 ~~employment and a report as to the applicant's integrity and~~



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1841 ~~moral character on a form prescribed by the department and~~
1842 ~~executed by the employer.~~

1843 ~~(b)(e)~~ The applicant must be a natural person of at least
1844 18 years of age, ~~must be~~ a bona fide resident of this state,
1845 ~~must be~~ trustworthy, and ~~must~~ have a ~~such~~ business reputation
1846 that as would reasonably ensure ~~assure~~ that the applicant will
1847 conduct his or her business as an adjuster fairly and in good
1848 faith and without detriment to the public.

1849 ~~(c)(d)~~ The applicant's employer is responsible for the
1850 adjustment acts of the temporary ~~any~~ licensee ~~under this~~
1851 ~~section.~~

1852 ~~(d)(e)~~ The applicable license fee ~~specified~~ must be paid
1853 before issuance of the temporary license.

1854 ~~(e)(f)~~ The temporary license is ~~shall be~~ effective for a
1855 ~~period of~~ 1 year, but is subject to earlier termination at the
1856 request of the employer, ~~or~~ if the licensee fails to take an
1857 examination as an all-lines ~~independent~~ adjuster ~~or company~~
1858 ~~employee adjuster~~ within 6 months after issuance of the
1859 temporary license, or if the temporary license is suspended or
1860 revoked by the department.

1861 (5) The department may ~~shall~~ not issue a temporary license
1862 as an all-lines ~~independent~~ adjuster ~~or as a company employee~~
1863 ~~adjuster~~ to an ~~any~~ individual who has ~~ever~~ held such a license
1864 in this state.

1865 Section 40. Section 626.873, Florida Statutes, is repealed.

1866 Section 41. Paragraph (e) of subsection (1) and subsection
1867 (2) of section 626.8732, Florida Statutes, are amended to read:

1868 626.8732 Nonresident public adjuster's qualifications,
1869 bond.—



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1870 (1) The department shall, upon application therefor, issue
1871 a license to an applicant for a nonresident public adjuster's
1872 license upon determining that the applicant has paid the
1873 applicable license fees required under s. 624.501 and:

1874 (e) Has been licensed and employed as a public adjuster in
1875 the applicant's state of residence on a continual basis for the
1876 past year ~~3 years~~, or, if the applicant's state of residence
1877 does not issue licenses to individuals who act as public
1878 adjusters, the applicant has been licensed and employed as a
1879 resident insurance company or independent adjuster, ~~insurance~~
1880 ~~agent, insurance broker, or other insurance representative~~ in
1881 his or her state of residence or any other state on a continual
1882 basis for the past year ~~3 years~~. ~~This paragraph does not apply~~
1883 ~~to individuals who are licensed to transact only life insurance~~
1884 ~~and annuity business.~~

1885 (2) The applicant shall furnish the following with his or
1886 her application:

1887 (a) A complete set of his or her fingerprints. The
1888 applicant's fingerprints must be certified by an authorized law
1889 enforcement officer. The department may not authorize an
1890 applicant to take the required examination or issue a
1891 nonresident public adjuster's license to the applicant until the
1892 department has received a report from the Florida Department of
1893 Law Enforcement and the Federal Bureau of Investigation relative
1894 to the existence or nonexistence of a criminal history report
1895 based on the applicant's fingerprints.

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



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1899 state of residence, stating that the applicant holds a current
1900 or comparable license to act as a public adjuster and has held
1901 the license continuously for the past year ~~3 years~~. The
1902 certificate or letter of authorization must be signed by the
1903 insurance commissioner or his or her deputy or the appropriate
1904 licensing official and must disclose whether the adjuster has
1905 ever had any license or eligibility to hold any license
1906 declined, denied, suspended, revoked, or placed on probation or
1907 whether an administrative fine or penalty has been levied
1908 against the adjuster and, if so, the reason for the action.

1909 (c) If the applicant's state of residence does not require
1910 licensure as a public adjuster and the applicant has been
1911 licensed as a resident insurance adjuster, ~~agent, broker, or~~
1912 ~~other insurance representative~~ in his or her state of residence
1913 or any other state, a certificate or letter of authorization
1914 from the licensing authority stating that the applicant holds or
1915 has held a license to act as such an insurance adjuster, ~~agent,~~
1916 ~~or other insurance representative~~ and has held the license
1917 continuously for the past year ~~3 years~~. The certificate or
1918 letter of authorization must be signed by the insurance
1919 commissioner or his or her deputy or the appropriate licensing
1920 official and must disclose whether or not the adjuster, ~~agent,~~
1921 ~~or other insurance representative~~ has ever had any license or
1922 eligibility to hold any license declined, denied, suspended,
1923 revoked, or placed on probation or whether an administrative
1924 fine or penalty has been levied against the adjuster and, if so,
1925 the reason for the action.

1926 Section 42. Section 626.8734, Florida Statutes, is amended
1927 to read:



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1928 626.8734 Nonresident all-lines adjuster license
1929 ~~independent adjuster's~~ qualifications.-

1930 (1) The department shall, ~~upon application therefor,~~ issue
1931 a license to an applicant for a nonresident all-lines adjuster
1932 ~~independent adjuster's~~ license upon determining that the
1933 applicant has paid the applicable license fees required under s.
1934 624.501 and:

1935 (a) Is a natural person at least 18 years of age.

1936 (b) Has passed to the satisfaction of the department a
1937 written Florida all-lines adjuster ~~independent adjuster's~~
1938 examination of the scope prescribed in s. 626.241(6); however,
1939 the requirement for the examination does not apply to ~~any of the~~
1940 ~~following:~~

1941 1. An applicant who is licensed as an all-lines ~~a resident~~
1942 ~~independent~~ adjuster in his or her home state ~~if of residence~~
1943 ~~when~~ that state has entered into ~~requires the passing of a~~
1944 ~~written examination in order to obtain the license and a~~
1945 reciprocal agreement with the ~~appropriate official of that state~~
1946 ~~has been entered into by the~~ department; or

1947 2. An applicant who is licensed as a nonresident all-lines
1948 ~~independent~~ adjuster in a state other than his or her home state
1949 ~~of residence when the state of licensure requires the passing of~~
1950 ~~a written examination in order to obtain the license and a~~
1951 reciprocal agreement with the appropriate official of the state
1952 of licensure has been entered into with ~~by~~ the department.

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



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1957 subsidiary of an insurer admitted to business in this state, or
1958 other insurers under the common control or ownership of such
1959 insurers ~~self-employed or associated with or employed by an~~
1960 ~~independent adjusting firm or other independent adjuster.~~
1961 Applicants licensed as nonresident all-lines independent
1962 adjusters under this section must be appointed as an independent
1963 adjuster or company employee adjuster ~~such~~ in accordance with
1964 ~~the provisions of~~ ss. 626.112 and 626.451. Appointment fees as
1965 ~~in the amount~~ specified in s. 624.501 must be paid to the
1966 department in advance. The appointment of a nonresident
1967 independent adjuster continues ~~shall continue~~ in force until
1968 suspended, revoked, or otherwise terminated, but is subject to
1969 biennial renewal or continuation by the licensee in accordance
1970 with ~~procedures prescribed in~~ s. 626.381 for licensees in
1971 general.

1972 (d) Is trustworthy and has such business reputation as
1973 would reasonably ensure ~~assure~~ that he or she will conduct his
1974 or her business as a nonresident all-lines independent adjuster
1975 fairly and in good faith and without detriment to the public.

1976 (e) Has had sufficient experience, training, or instruction
1977 concerning the adjusting of damages or losses under insurance
1978 contracts, other than life and annuity contracts; is
1979 sufficiently informed as to the terms and effects of ~~the~~
1980 ~~provisions of~~ those types of insurance contracts; and possesses
1981 adequate knowledge of the laws of this state relating to such
1982 contracts as to enable and qualify him or her to engage in the
1983 business of insurance adjuster fairly and without injury to the
1984 public or any member thereof with whom he or she may have
1985 business as an all-lines independent adjuster.



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1986 (2) The applicant must ~~shall~~ furnish the following with his
1987 or her application:

1988 (a) A complete set of his or her fingerprints. The
1989 applicant's fingerprints must be certified by an authorized law
1990 enforcement officer.

1991 (b) If currently licensed as an all-lines ~~a resident~~
1992 ~~independent~~ adjuster in the applicant's home state ~~of residence~~,
1993 a certificate or letter of authorization from the licensing
1994 authority of the applicant's home state ~~of residence~~, stating
1995 that the applicant holds a current license to act as an all
1996 lines independent adjuster. The ~~Such~~ certificate or letter of
1997 authorization must be signed by the insurance commissioner, or
1998 his or her deputy or the appropriate licensing official, and
1999 must disclose whether the adjuster has ever had a ~~any~~ license or
2000 eligibility to hold any license declined, denied, suspended,
2001 revoked, or placed on probation or whether an administrative
2002 fine or penalty has been levied against the adjuster and, if so,
2003 the reason for the action. Such certificate or letter is not
2004 required if the nonresident applicant's licensing status can be
2005 verified through the Producer Database maintained by the
2006 National Association of Insurance Commissioners, its affiliates,
2007 or subsidiaries.

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



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2015 a license to act as an insurance adjuster, agent, or other
2016 insurance representative. The certificate or letter of
2017 authorization must be signed by the insurance commissioner, or
2018 his or her deputy or the appropriate licensing official, and
2019 must disclose whether the adjuster, agent, or other insurance
2020 representative has ever had a any license or eligibility to hold
2021 any license declined, denied, suspended, revoked, or placed on
2022 probation or whether an administrative fine or penalty has been
2023 levied against the adjuster and, if so, the reason for the
2024 action. Such certificate or letter is not required if the
2025 nonresident applicant's licensing status can be verified through
2026 the Producer Database maintained by the National Association of
2027 Insurance Commissioners, its affiliates, or subsidiaries.

2028 (3) The usual and customary records pertaining to
2029 transactions under the license of a nonresident all-lines
2030 ~~independent~~ adjuster must be retained for at least 3 years after
2031 completion of the adjustment and ~~must~~ be made available in this
2032 state to the department upon request. The failure of a
2033 nonresident all-lines ~~independent~~ adjuster to properly maintain
2034 records and make them available to the department upon request
2035 constitutes grounds for the immediate suspension of the license
2036 issued under this section.

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



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2044 contracts negotiated or to be negotiated. Compliance with this
2045 filing requirement is a condition precedent to the issuance,
2046 continuation, reinstatement, or renewal of a nonresident
2047 independent adjuster's appointment.

2048 Section 43. Section 626.8736, Florida Statutes, is amended
2049 to read:

2050 626.8736 Nonresident independent or public adjusters;
2051 service of process.—

2052 (1) Each licensed nonresident ~~independent or~~ public
2053 adjuster or all-lines adjuster appointed as an independent
2054 adjuster shall appoint the Chief Financial Officer and his or
2055 her successors in office as his or her attorney to receive
2056 service of legal process issued against such ~~the nonresident~~
2057 ~~independent or public~~ adjuster in this state, upon causes of
2058 action arising within this state out of transactions under his
2059 license and appointment. Service upon the Chief Financial
2060 Officer as attorney constitutes ~~shall constitute~~ effective legal
2061 service upon the nonresident independent or public adjuster.

2062 (2) The appointment of the Chief Financial Officer for
2063 service of process is ~~shall be~~ irrevocable ~~for~~ as long as there
2064 could be any cause of action against the nonresident ~~independent~~
2065 ~~or~~ public adjuster or all-lines adjuster appointed as an
2066 independent adjuster arising out of his or her insurance
2067 transactions in this state.

2068 (3) Duplicate copies of legal process against the
2069 nonresident ~~independent or~~ public adjuster or all-lines adjuster
2070 appointed as an independent adjuster shall be served upon the
2071 Chief Financial Officer by a person competent to serve a
2072 summons.



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2073 (4) Upon receiving the service, the Chief Financial Officer
2074 shall ~~forthwith~~ send one of the copies of the process, by
2075 registered mail with return receipt requested, to the defendant
2076 nonresident ~~independent or~~ public adjuster or all-lines adjuster
2077 appointed as an independent adjuster at his or her last address
2078 of record with the department.

2079 (5) The Chief Financial Officer shall keep a record of the
2080 day and hour of service upon him or her of all legal process
2081 received under this section.

2082 Section 44. Subsection (1) of section 626.874, Florida
2083 Statutes, is amended to read:

2084 626.874 Catastrophe or emergency adjusters.—

2085 (1) In the event of a catastrophe or emergency, the
2086 department may issue a license, for the purposes and under the
2087 conditions ~~which it shall fix~~ and for the period of emergency as
2088 it shall determine, to persons who are residents or nonresidents
2089 of this state, who are at least 18 years of age, who are United
2090 States citizens or legal aliens who possess work authorization
2091 from the United States Bureau of Citizenship and Immigration
2092 Services, and who are not licensed adjusters under this part but
2093 who have been designated and certified to it as qualified to act
2094 as adjusters by all-lines independent resident adjusters, ~~or~~ by
2095 an authorized insurer, or by a licensed general lines agent to
2096 adjust claims, losses, or damages under policies or contracts of
2097 insurance issued by such insurers. The fee for the license is
2098 ~~shall be~~ as provided in s. 624.501(12)(c).

2099 Section 45. Subsection (1) of section 626.875, Florida
2100 Statutes, is amended to read:

2101 626.875 Office and records.—



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2102 (1) Each appointed ~~Every licensed~~ independent adjuster and
2103 ~~every~~ licensed public adjuster must ~~shall have and~~ maintain ~~in~~
2104 ~~this state~~ a place of business in this state which is accessible
2105 to the public and keep therein the usual and customary records
2106 pertaining to transactions under the license. This provision
2107 does ~~shall~~ not ~~be deemed to~~ prohibit maintenance of such an
2108 office in the home of the licensee.

2109 Section 46. Section 626.876, Florida Statutes, is amended
2110 to read:

2111 626.876 Exclusive employment; public adjusters, independent
2112 adjusters.—

2113 (1) An ~~No~~ individual licensed and appointed as a public
2114 adjuster may not ~~shall~~ be ~~so~~ employed during the same period by
2115 more than one public adjuster or public adjuster firm or
2116 corporation.

2117 (2) An ~~No~~ individual licensed as an all-lines adjuster and
2118 appointed as an independent adjuster may not ~~shall~~ be ~~so~~
2119 employed during the same period by more than one independent
2120 adjuster or independent adjuster firm or corporation.

2121 Section 47. Subsection (2) of section 626.8796, Florida
2122 Statutes, is amended to read:

2123 626.8796 Public adjuster contracts; fraud statement.—

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



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2131 emergency claim, nonemergency claim, or supplemental claim; the
2132 signatures of the public adjuster and all named insureds; and
2133 the signature date. If all of the named insureds' signatures are
2134 not available, the public adjuster must submit an affidavit
2135 signed by the available named insureds attesting that they have
2136 authority to enter into the contract and settle all claim issues
2137 on behalf of the named insureds. An unaltered copy of the
2138 executed contract must be remitted to the insurer within 30 days
2139 after execution. A public adjusting firm that adjusts claims
2140 primarily for commercial entities with operations in more than
2141 one state and that does not directly or indirectly perform
2142 adjusting services for insurers or individual homeowners is
2143 deemed to comply with the requirements of this subsection if, at
2144 the time a proof of loss is submitted, the public adjusting firm
2145 remits to the insurer an affidavit signed by the public adjuster
2146 or public adjuster apprentice that identifies:

2147 (a) The full name, permanent business address, and license
2148 number of the public adjuster or public adjuster apprentice.

2149 (b) The full name of the public adjusting firm.

2150 (c) The insured's full name and street address, together
2151 with a brief description of the loss.

2152 (d) An attestation that the compensation for public
2153 adjusting services will not exceed the limitations provided by
2154 law.

2155 (e) The type of claim, including an emergency claim,
2156 nonemergency claim, or supplemental claim.

2157 Section 48. Subsections (5), (6), and (7) of section
2158 626.927, Florida Statutes, are amended to read:

2159 626.927 Licensing of surplus lines agent.—



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2160 ~~(5) The applicant must file and thereafter maintain the~~
2161 ~~bond as required under s. 626.928.~~

2162 (5)~~(6)~~ Examinations as to surplus lines, as required under
2163 subsections (1) and (2), are ~~shall be~~ subject to the provisions
2164 of part I as applicable to applicants for licenses in general.
2165 ~~No such examination shall be required as to persons who held a~~
2166 ~~Florida surplus lines agent's license as of January 1, 1959,~~
2167 ~~except when examinations subsequent to issuance of an initial~~
2168 ~~license are provided for in general under part I.~~

2169 (6)~~(7)~~ An ~~Any~~ individual who has been licensed by the
2170 department as a surplus lines agent as provided in this section
2171 may be subsequently appointed without additional written
2172 examination if his or her application for appointment is filed
2173 with the department within 48 months after ~~next following~~ the
2174 date of cancellation or expiration of the prior appointment. The
2175 department may, ~~in its discretion,~~ require an ~~any~~ individual to
2176 take and successfully pass an examination as for original
2177 issuance of license as a condition precedent to the
2178 reinstatement or continuation of the licensee's current license
2179 or reinstatement or continuation of the licensee's appointment.

2180 Section 49. Section 626.928, Florida Statutes, is repealed.

2181 Section 50. Section 626.933, Florida Statutes, is amended
2182 to read:

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



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2189 ~~626.928~~. The department may authorize the Florida Surplus Lines
2190 Service Office to file suit on its behalf. All costs and
2191 expenses incurred in a suit brought by the office which are not
2192 recoverable from the agent or surety shall be borne by the
2193 office.

2194 Section 51. Subsection (1) of section 626.935, Florida
2195 Statutes, is amended to read:

2196 626.935 Suspension, revocation, or refusal of surplus lines
2197 agent's license.—

2198 (1) The department shall deny an application for, suspend,
2199 revoke, or refuse to renew the appointment of a surplus lines
2200 agent and all other licenses and appointments held by the
2201 licensee under this code, on ~~upon~~ any of the following grounds:

2202 (a) Removal of the licensee's office from the licensee's
2203 state of residence.

2204 (b) Removal of the accounts and records of his or her
2205 surplus lines business from this state or the licensee's state
2206 of residence during the period when such accounts and records
2207 are required to be maintained under s. 626.930.

2208 (c) Closure of the licensee's office for ~~a period of~~ more
2209 than 30 consecutive days.

2210 (d) Failure to make and file his or her affidavit or
2211 reports when due as required by s. 626.931.

2212 (e) Failure to pay the tax or service fee on surplus lines
2213 premiums, as provided ~~for~~ in the ~~this~~ Surplus Lines Law.

2214 ~~(f) Failure to maintain the bond as required by s. 626.928.~~

2215 (f)(g) Suspension, revocation, or refusal to renew or
2216 continue the license or appointment as a general lines agent,
2217 service representative, or managing general agent.



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2218 (g)~~(h)~~ Lack of qualifications as for an original surplus
2219 lines agent's license.

2220 (h)~~(i)~~ Violation of this Surplus Lines Law.

2221 (i)~~(j)~~ For any other applicable cause for which the license
2222 of a general lines agent could be suspended, revoked, or refused
2223 under s. 626.611 or s. 626.621.

2224 Section 52. Paragraph (b) of subsection (1) of section
2225 627.952, Florida Statutes, is amended to read:

2226 627.952 Risk retention and purchasing group agents.—

2227 (1) Any person offering, soliciting, selling, purchasing,
2228 administering, or otherwise servicing insurance contracts,
2229 certificates, or agreements for any purchasing group or risk
2230 retention group to any resident of this state, either directly
2231 or indirectly, by the use of mail, advertising, or other means
2232 of communication, shall obtain a license and appointment to act
2233 as a resident general lines agent, if a resident of this state,
2234 or a nonresident general lines agent if not a resident. Any such
2235 person shall be subject to all requirements of the Florida
2236 Insurance Code.

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



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2247 ~~activities carried out by such nonresident is pursuant to this~~
2248 ~~part shall be~~ limited to the provision of insurance for
2249 purchasing groups. The bond must ~~shall~~ be continuous in form and
2250 ~~maintained~~ in the amount of not less than \$50,000, aggregate
2251 liability set out in s. 626.928. The bond must ~~shall~~ remain in
2252 force and effect until the surety is released from liability by
2253 the department or until the bond is canceled by the surety. The
2254 surety may cancel the bond and be released from further
2255 liability ~~thereunder~~ upon 30 days' prior written notice to the
2256 department. The cancellation does ~~shall~~ not affect any liability
2257 incurred or accrued ~~thereunder~~ before the termination of the 30-
2258 day period. Upon receipt of a notice of cancellation, the
2259 department shall immediately notify the agent.

2260 Section 53. Subsections (1) and (2) of section 635.051,
2261 Florida Statutes, are amended to read:

2262 635.051 Licensing and appointment of mortgage guaranty
2263 insurance agents.-

2264 (1) Effective October 1, 2012, a person may not transact
2265 mortgage guaranty insurance unless licensed and appointed as a
2266 credit insurance agent in accordance with the applicable
2267 provisions of the insurance code. Mortgage guaranty licenses
2268 held by persons on October 1, 2012, shall be transferred to a
2269 credit insurance agent license. Persons who wish to obtain a new
2270 license identification card that reflects this change must
2271 submit the \$5 fee as prescribed in s. 624.501(15). ~~Agents of~~
2272 ~~mortgage guaranty insurers shall be licensed and appointed and~~
2273 ~~shall be subject to the same qualifications and requirements~~
2274 ~~applicable to general lines agents under the laws of this state,~~
2275 ~~except that:~~



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2276 ~~(a) Particular preliminary specialized education or~~
2277 ~~training is not required of an applicant for such an agent's~~
2278 ~~license, and continuing education is not required for renewal of~~
2279 ~~the agent's appointment if, as part of the application for~~
2280 ~~license and appointment, the insurer guarantees that the~~
2281 ~~applicant will receive the necessary training to enable him or~~
2282 ~~her properly to hold himself or herself out to the public as a~~
2283 ~~mortgage guaranty insurance agent and if the department, in its~~
2284 ~~discretion, accepts such guaranty;~~

2285 ~~(b) The agent's license and appointment shall be a limited~~
2286 ~~license, limited to the handling of mortgage guaranty insurance~~
2287 ~~only; and~~

2288 ~~(c) An examination may be required of an applicant for such~~
2289 ~~a license if the insurer fails to provide the guaranty described~~
2290 ~~in paragraph (a).~~

2291 (2) Any general lines agent licensed under chapter 626 is
2292 qualified to represent a mortgage guaranty insurer without
2293 additional licensure examination.

2294 Section 54. Subsection (1) of section 648.34, Florida
2295 Statutes, is amended to read:

2296 648.34 Bail bond agents; qualifications.—

2297 (1) An application for licensure as a bail bond agent must
2298 be submitted on forms prescribed by the department. The
2299 application must include the applicant's full name; date of
2300 birth; social security number; residence, business, and mailing
2301 addresses; contact telephone numbers, including a business
2302 telephone number; and e-mail address.

2303 Section 55. Subsection (2) of section 648.38, Florida
2304 Statutes, is amended to read:



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2305 648.38 Licensure examination for bail bond agents; time;
2306 place; fees; scope.—

2307 (2) The department or a person designated by the department
2308 shall provide ~~mail-written~~ notice of the time and place of the
2309 examination to each applicant for licensure required to take an
2310 examination who will be eligible to take the examination as of
2311 the examination date. The notice shall be e-mailed ~~so mailed,~~
2312 ~~postage prepaid,~~ and addressed to the applicant at the e-mail
2313 ~~his or her~~ address shown on his or her application for licensure
2314 ~~or at such other address as requested by the applicant in~~
2315 ~~writing filed with the department prior to the mailing of the~~
2316 ~~notice.~~ Notice shall be deemed given when so mailed.

2317 Section 56. Section 648.385, Florida Statutes, is amended
2318 to read:

2319 648.385 Continuing education required; application;
2320 exceptions; requirements; penalties.—

2321 (1) The purpose of this section is to establish
2322 requirements and standards for continuing education courses for
2323 persons authorized to write bail bonds in this state.

2324 (2)(a) Each person subject to ~~the provisions of this~~
2325 chapter must complete a minimum of 14 hours of continuing
2326 education courses every 2 years as specified in s. 626.2815 ~~in~~
2327 ~~courses approved by the department. Compliance with continuing~~
2328 ~~education requirements is a condition precedent to the issuance,~~
2329 ~~continuation, or renewal of any appointment subject to the~~
2330 ~~provisions of this chapter.~~

2331 (b) ~~A person teaching any approved course of instruction or~~
2332 ~~lecturing at any approved seminar and attending the entire~~
2333 ~~course or seminar shall qualify for the same number of classroom~~



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2334 ~~hours as would be granted to a person taking and successfully~~
2335 ~~completing such course, seminar, or program. Credit shall be~~
2336 ~~limited to the number of hours actually taught unless a person~~
2337 ~~attends the entire course or seminar.~~

2338 ~~(c) For good cause shown, the department may grant an~~
2339 ~~extension of time during which the requirements imposed by this~~
2340 ~~section may be completed, but such extension of time may not~~
2341 ~~exceed 1 year.~~

2342 ~~(3)(a) Any bail-related course developed or sponsored by~~
2343 ~~any authorized insurer or recognized bail bond agents'~~
2344 ~~association, or any independent study program of instruction,~~
2345 ~~subject to approval by the department, qualifies for the~~
2346 ~~equivalency of the number of classroom hours assigned to such~~
2347 ~~course by the department. However, unless otherwise provided in~~
2348 ~~this section, continuing education credit may not be credited~~
2349 ~~toward meeting the requirements of this section unless the~~
2350 ~~course is provided by classroom instruction or results in a~~
2351 ~~monitored examination.~~

2352 ~~(b) Each person or entity sponsoring a course for~~
2353 ~~continuing education credit must furnish, within 30 days after~~
2354 ~~completion of the course, in a form satisfactory to the~~
2355 ~~department or its designee, a written and certified roster~~
2356 ~~showing the name and license number of all persons successfully~~
2357 ~~completing such course and requesting credit, accompanied by the~~
2358 ~~required fee. The department shall refuse to issue, continue, or~~
2359 ~~renew the appointment of any bail bond agent who has not had the~~
2360 ~~continuing education requirements certified unless the agent has~~
2361 ~~been granted an extension by the department.~~

2362 Section 57. Section 648.421, Florida Statutes, is amended



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2363 to read:

2364 648.421 Notice of change of address or telephone number.—
2365 Each licensee under this chapter shall notify in writing the
2366 department, insurer, managing general agent, and the clerk of
2367 each court in which the licensee is registered within 10 working
2368 days after a change in the licensee's principal business address
2369 or telephone number. The licensee shall also notify the
2370 department within 10 working days after a change of the name,
2371 address, or telephone number of each agency or firm for which he
2372 or she writes bonds and any change in the licensee's name, home
2373 address, e-mail address, or telephone number.

2374 Section 58. Except as otherwise expressly provided in this
2375 act, this act shall take effect October 1, 2012.

2377 ===== T I T L E A M E N D M E N T =====

2378 And the title is amended as follows:

2379 Delete everything before the enacting clause
2380 and insert:

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



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



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



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



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



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2508 s. 626.8796, F.S.; requiring a public adjusting firm
2509 that adjusts claims exclusively for institutions that
2510 guarantee or service mortgages to provide an affidavit
2511 to an insurer with certain information; amending s.
2512 626.927, F.S.; deleting a requirement that a licensed
2513 surplus lines agent maintain a bond; repealing s.
2514 626.928, F.S., relating to a surplus lines agent's
2515 bond; amending ss. 626.933, 626.935, and 627.952,
2516 F.S.; conforming cross-references; amending s.
2517 635.051, F.S.; requiring persons transacting mortgage
2518 guaranty insurance to be licensed and appointed as a
2519 credit insurance agent; amending s. 648.34, F.S.;
2520 requiring application information for bail bond
2521 agents; amending s. 648.38, F.S.; revising the notice
2522 of examination requirements for bail bond agents;
2523 amending s. 648.385, F.S.; revising continuing
2524 education courses for bail bond agents, to conform to
2525 changes made by the act; amending s. 648.421, F.S.;
2526 requiring a bail bond agent to provide notification of
2527 a change in his or her e-mail address; providing
2528 effective dates.