

By the Committee on Banking and Insurance; and Senator Richter

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

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30 examinations; amending s. 626.281, F.S.; specifying  
31 how many times an applicant may take an examination  
32 during a year; amending s. 626.2815, F.S.; revising  
33 provisions relating to continuing education  
34 requirements; providing that persons on active  
35 military duty may seek a waiver; providing for an  
36 update course and the contents of such course;  
37 deleting requirements relating specifically to certain  
38 types of insurance; providing education requirements  
39 for bail bond agents and public adjusters; eliminating  
40 the continuing education advisory board; amending s.  
41 626.292, F.S.; conforming provisions to changes made  
42 by the act relating to all-lines adjusters; amending  
43 s. 626.311, F.S.; conforming provisions to changes  
44 made by the act relating to limited licenses; amending  
45 s. 626.321, F.S.; revising provisions relating to  
46 limited licenses; prohibiting the future issuance of  
47 new limited licenses for motor vehicle physical damage  
48 and mechanical breakdown insurance; combining limited  
49 licenses relating to credit insurance; specifying  
50 events covered by crop hail and multiple-peril crop  
51 insurance; revising in-transit and storage personal  
52 property insurance to create a limited license for  
53 portable electronics insurance; amending s. 626.342,  
54 F.S.; clarifying that the prohibition relating to the  
55 furnishing of supplies to unlicensed agents applies to  
56 all unlicensed agents; amending s. 626.381, F.S.;  
57 revising provisions relating to the reporting of  
58 administrative actions; amending s. 626.536, F.S.;

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59 clarifying requirements for reporting administrative  
60 actions taken against a licensee; amending s. 626.551,  
61 F.S.; shortening the time within which a licensee must  
62 report to the department a change in certain  
63 information; authorizing the Department of Financial  
64 Services to adopt rules relating to notification of a  
65 change of address; amending s. 626.621, F.S.; adding  
66 failure to comply with child support requirements as  
67 grounds for action against a license; amending s.  
68 626.641, F.S.; clarifying provisions relating to the  
69 suspension or revocation of a license or appointment;  
70 amending s. 626.651, F.S.; revising provisions  
71 relating to the suspension or revocation of licenses;  
72 amending ss. 626.730 and 626.732, F.S.; revising  
73 provisions relating to the purpose of the general  
74 lines and personal lines license and certain  
75 requirements related to general lines and personal  
76 lines agents; conforming provisions to changes made by  
77 the act relating to limited licenses; amending s.  
78 626.8411, F.S.; revising requirements and exemptions  
79 relating to title insurance agents or agencies;  
80 amending s. 626.8418, F.S.; deleting the requirement  
81 that a title insurance agency deposit certain  
82 securities with the department; creating s. 626.8548,  
83 F.S.; defining the term "all-lines adjuster"; amending  
84 s. 626.855, F.S.; revising the definition of  
85 "independent adjuster"; amending s. 626.856, F.S.;  
86 revising the definition of "company employee  
87 adjuster"; repealing s. 626.858, F.S., relating to

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88 defining "nonresident company employee adjuster";  
89 amending s. 626.8584, F.S.; revising the definition of  
90 "nonresident all-lines adjuster"; amending s. 626.863,  
91 F.S.; conforming provisions to changes made by the act  
92 relating to all-lines adjusters; amending s. 626.864,  
93 F.S.; revising provisions relating to adjuster license  
94 types; amending s. 626.865, F.S.; requiring an  
95 applicant for public adjuster to be licensed as a  
96 public adjuster apprentice; amending s. 626.866, F.S.;  
97 conforming provisions to changes made by the act  
98 relating to all-lines adjusters; repealing s. 626.867,  
99 F.S., relating to qualifications for company employee  
100 adjusters; amending s. 626.869, F.S.; revising  
101 provisions relating to an all-lines adjuster license;  
102 ceasing the issuance of certain adjuster licenses;  
103 revising continuing education requirements; amending  
104 s. 626.8697, F.S.; revising provisions relating to the  
105 violation of rules resulting in the suspension or  
106 revocation of an adjuster's license; amending s.  
107 626.872, F.S.; conforming provisions to changes made  
108 by the act relating to all-lines adjusters; repealing  
109 s. 626.873, F.S., relating to licensure for  
110 nonresident company employee adjusters; amending s.  
111 626.8734, F.S.; amending provisions relating to  
112 nonresident all-lines adjusters; providing for  
113 verifying an applicant's status through the National  
114 Association of Insurance Commissioners' Producer  
115 Database; amending ss. 626.8736, 626.874, 626.875, and  
116 626.876, F.S.; conforming provisions to changes made

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117 by the act relating to all-lines adjusters; amending  
118 s. 626.927, F.S.; deleting a requirement that a  
119 licensed surplus lines agent maintain a bond;  
120 repealing s. 626.928, F.S., relating to a surplus  
121 lines agent's bond; amending ss. 626.933, 626.935, and  
122 627.952, F.S.; conforming cross-references; amending  
123 s. 635.051, F.S.; requiring persons transacting  
124 mortgage guaranty insurance to be licensed and  
125 appointed as a credit insurance agent; amending s.  
126 648.34, F.S.; revising the licensure application for  
127 bail bond agents to include certain information;  
128 amending s. 648.38, F.S.; revising the notice of  
129 examination requirements for bail bond agents;  
130 amending s. 648.385, F.S.; revising continuing  
131 education courses for bail bond agents, to conform to  
132 changes made by the act; amending s. 648.421, F.S.;  
133 revising the notice of change of address or telephone  
134 number for bail bond agents to include the agent's e-  
135 mail address; amending s. 903.27, F.S.; revising  
136 provisions relating to the provision of forfeiture  
137 documents and notification of certain actions;  
138 providing effective dates.

139

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

141

142 Section 1. Paragraph (e) of subsection (27) of section  
143 624.501, Florida Statutes, is amended to read:

144 624.501 Filing, license, appointment, and miscellaneous  
145 fees.—The department, commission, or office, as appropriate,

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146 shall collect in advance, and persons so served shall pay to it  
147 in advance, fees, licenses, and miscellaneous charges as  
148 follows:

149 (27) Title insurance agents:

150 (e) Title insurer and title insurance agency administrative  
151 surcharge:

152 ~~1.~~ On or before January 30 of each calendar year, each  
153 title insurer shall pay an administrative surcharge of \$200.00  
154 to the office for each licensed title insurance agency appointed  
155 by the title insurer and for each retail office of the insurer  
156 on January 1 of that calendar year ~~an administrative surcharge~~  
157 ~~of \$200.00.~~

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

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

170 624.505 County tax; determination; ~~additional offices;~~  
171 nonresident agents.—

172 (1) The county tax imposed ~~provided for~~ under s. 624.501  
173 ~~for as to~~ an agent shall be paid by each insurer for each agent  
174 only for the county where the agent resides, or if the ~~such~~

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

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

188 626.015 Definitions.—As used in this part:

189 (1) "Adjuster" means a public adjuster as defined in s.  
190 626.854, a public adjuster apprentice as defined in s. 626.8541,  
191 or an all-lines adjuster as defined in s. 626.8548 ~~independent~~  
192 ~~adjuster as defined in s. 626.855, or company employee adjuster~~  
193 ~~as defined in s. 626.856.~~

194 (7) "Home state" means the District of Columbia and any  
195 state or territory of the United States in which an ~~insurance~~  
196 agent or adjuster maintains his or her principal place of  
197 residence or principal place of business and is licensed to act  
198 as an insurance agent or adjuster.

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

201 626.0428 Agency personnel powers, duties, and limitations.—

202 (2) An ~~No~~ employee of an agent or agency may not bind  
203 insurance coverage unless licensed and appointed as an ~~a general~~

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204 ~~lines~~ agent or customer representative.

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

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

211 626.171 Application for license as an agent, customer  
212 representative, adjuster, service representative, managing  
213 general agent, or reinsurance intermediary.-

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

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

231 (b) A statement indicating the method the applicant used or  
232 is using to meet any required prelicensing education, knowledge,



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233 experience, or instructional requirements for the type of  
234 license applied for. ~~Proof that he or she has completed or is in~~  
235 ~~the process of completing any required prelicensing course.~~

236

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

244 Section 6. Section 626.191, Florida Statutes, is amended to  
245 read:

246 626.191 Repeated applications.—The failure of an applicant  
247 to secure a license upon ~~an~~ application does shall not preclude  
248 the applicant from applying again. However ~~as many times as~~  
249 ~~desired, but~~ the department may shall not consider ~~give~~  
250 ~~consideration to~~ or accept any further application by the same  
251 applicant individual for a similar license dated or filed within  
252 30 days after ~~subsequent to~~ the date the department denied the  
253 last application, except as provided under ~~in~~ s. 626.281.

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

256 626.221 Examination requirement; exemptions.—

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

259 (a) An applicant for renewal of appointment as an agent,  
260 customer representative, or adjuster, unless the department  
261 determines that an examination is necessary to establish the

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262 competence or trustworthiness of the ~~such~~ applicant.

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

271 (c) In the discretion of the department, an applicant for  
272 reinstatement of license or appointment as an agent, customer  
273 representative, ~~company employee adjuster,~~ or all-lines  
274 ~~independent~~ adjuster whose license has been suspended within the  
275 4 years before ~~prior to~~ the date of application or written  
276 request for reinstatement.

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

285 (e) An applicant ~~A person~~ who has been licensed as an all-  
286 lines adjuster and appointed as an independent adjuster or  
287 company employee adjuster ~~as to all property, casualty, and~~  
288 ~~surety insurances may be licensed and appointed as a company~~  
289 ~~employee adjuster or independent adjuster, as to these kinds of~~  
290 ~~insurance, without additional written examination if an~~

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291 application for licensure is filed with the department within 48  
292 months following the date of cancellation or expiration of the  
293 prior appointment.

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

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

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

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

316 (i)~~(j)~~ An applicant for license as a customer  
317 representative who has earned the designation of Accredited  
318 Advisor in Insurance (AAI) from the Insurance Institute of  
319 America, the designation of Certified Insurance Counselor (CIC)

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320 from the Society of Certified Insurance Service Counselors, the  
321 designation of Accredited Customer Service Representative (ACSR)  
322 from the Independent Insurance Agents of America, the  
323 designation of Certified Professional Service Representative  
324 (CPSR) from the National Foundation for Certified Professional  
325 Service Representatives, the designation of Certified Insurance  
326 Service Representative (CISR) from the Society of Certified  
327 Insurance Service Representatives, or the designation of  
328 Certified Insurance Representative (CIR) from the National  
329 Association of Christian Catastrophe Insurance Adjusters. Also,  
330 an applicant for license as a customer representative who has  
331 earned an associate degree or bachelor's degree from an  
332 accredited college or university and has completed ~~with~~ at least  
333 9 academic hours of property and casualty insurance curriculum,  
334 or the equivalent, or has earned the designation of Certified  
335 Customer Service Representative (CCSR) from the Florida  
336 Association of Insurance Agents, or the designation of  
337 Registered Customer Service Representative (RCSR) from a  
338 regionally accredited postsecondary institution in this state,  
339 or the designation of Professional Customer Service  
340 Representative (PCSR) from the Professional Career Institute,  
341 whose curriculum has been approved by the department and which  
342 ~~whose curriculum~~ includes comprehensive analysis of basic  
343 property and casualty lines of insurance and testing at least  
344 equal to that of standard department testing for the customer  
345 representative license. The department shall adopt rules  
346 establishing standards for the approval of curriculum.

347 (j) ~~(k)~~ An applicant for license as a resident or  
348 nonresident all-lines ~~an independent or company employee~~

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

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

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

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

373 3. Has received the designation of chartered life  
374 underwriter (CLU) from the American College of Life Underwriters  
375 and ~~has~~ been engaged in the insurance business within the past 4  
376 years~~7~~ if applying to transfer a life or health agent license.

377 (l)~~(m)~~ An applicant for a license as a nonresident agent

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378 ~~license,~~ if the applicant:

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

384 2. Held a general lines agent license, life agent license,  
385 or health agent license before ~~prior to the time~~ a written  
386 examination was required;

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

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

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

399 626.231 Eligibility; application for examination.—

400 (2) A person required to take an examination for a license  
401 may ~~be permitted to~~ take an examination before ~~prior to~~  
402 submitting an application for licensure pursuant to s. 626.171  
403 by submitting an application for examination through the  
404 department's Internet website or the website of a person  
405 designated by the department to administer the examination. The  
406 department may require ~~In the application,~~ the applicant to

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407 provide the following information as part of the application  
408 ~~shall set forth:~~

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

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

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

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

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

420 (f) The applicant's native language.

421 (g) The highest level of education achieved by the  
422 applicant.

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

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

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

435 626.241 Scope of examination.—

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

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

447 (a) ~~Automobile physical damage insurance;~~  
448 (b) ~~Property and casualty insurance;~~  
449 (c) ~~Workers' compensation insurance; or~~  
450 (d) ~~Health insurance.~~

451 (b) An ~~No~~ examination for ~~on~~ worker's compensation  
452 insurance or health insurance is not ~~shall be~~ required for  
453 public adjusters.

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

456 626.251 Time and place of examination; notice.—

457 (1) The department, or a person designated by the  
458 department, shall provide ~~mail written~~ notice of the time and  
459 place of the examination to each applicant for examination and  
460 each applicant for license required to take an examination who  
461 will be eligible to take the examination as of the examination  
462 date. The notice shall be e-mailed ~~so mailed, postage prepaid,~~  
463 ~~and addressed~~ to the applicant at the e-mail ~~his or her~~ address  
464 shown on the application for license or examination ~~at such~~



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465 ~~other address as requested by the applicant in writing filed~~  
466 ~~with the department prior to the mailing of the notice.~~ Notice  
467 ~~is shall be~~ deemed given when so mailed.

468 Section 11. Section 626.281, Florida Statutes, is amended  
469 to read:

470 626.281 Reexamination.—

471 (1) An ~~Any~~ applicant for license or ~~applicant for~~  
472 examination who has ~~either~~:

473 (a) Taken an examination and failed to make a passing  
474 grade, or

475 (b) Failed to appear for the examination or to take or  
476 complete the examination at the time and place specified in the  
477 notice of the department,

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

485 (2) Applicants may take an examination for a license type  
486 up to five times in a 12-month period.

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

493 Section 12. Section 626.2815, Florida Statutes, is amended

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494 to read:

495 626.2815 Continuing education ~~required; application;~~  
496 ~~exceptions; requirements; penalties.~~-

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

501 (2) Except as otherwise provided in this section, ~~the~~  
502 ~~provisions of this section~~ applies apply to individuals ~~persons~~  
503 licensed to engage in the sale of insurance or adjustment of  
504 insurance claims in this state for all lines of insurance for  
505 which an examination is required for licensing and to each  
506 insurer, employer, or appointing entity, including, but not  
507 limited to, those created or existing pursuant to s. 627.351.  
508 ~~The provisions of~~ This section does shall not apply to an any  
509 individual who holds ~~person holding~~ a license for the sale of  
510 any line of insurance for which an examination is not required  
511 by the laws of this state or who holds a, ~~nor shall the~~  
512 ~~provisions of this section apply to any limited license as a~~  
513 crop or hail and multiple-peril crop insurance agent ~~the~~  
514 ~~department may exempt by rule.~~ Licensees who are unable to  
515 comply with the continuing education requirements due to active  
516 duty in the military may submit a written request to the  
517 department for a waiver.

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

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523 department.

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

535 (b) A licensee ~~person~~ who has been licensed for ~~a period of~~  
536 6 or more years must complete 20 hours of continuing education  
537 every 2 years in intermediate or advanced-level courses  
538 prescribed by this section or in other courses approved by the  
539 department.

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

547 (d) An individual ~~Any person~~ who holds a license as a  
548 customer representative, limited customer representative, title  
549 agent, motor vehicle physical damage and mechanical breakdown  
550 insurance agent, ~~crop or hail and multiple-peril crop insurance~~  
551 ~~agent,~~ or ~~as~~ an industrial fire insurance or burglary insurance

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552 agent and who is not a licensed life or health ~~insurance~~ agent,  
553 ~~must shall be required to~~ complete 10 hours of continuing  
554 education courses every 2 years.

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

569 (f) An individual who holds a license to solicit or sell  
570 life insurance must complete a minimum of 3 hours in continuing  
571 education on suitability in annuity and life insurance  
572 transactions. This requirement does not apply to an agent who  
573 does not have any active life insurance or annuity contracts. In  
574 applying this exemption, the department may require the agent to  
575 file a certification attesting that the agent has not sold life  
576 insurance or annuities during the continuing education  
577 compliance cycle in question and does not have any active life  
578 insurance or annuity contracts. A licensee may use the hours  
579 obtained under this paragraph to satisfy the requirement for  
580 continuing education in ethics under paragraph (a).

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581 (g) An individual subject to chapter 648 must complete a  
582 minimum of 14 hours of continuing education courses every 2  
583 years.

584 (h) Excess hours accumulated during any 2-year compliance  
585 period may be carried forward to the next compliance period.

586 (i) An individual teaching an approved course of  
587 instruction or lecturing at an approved seminar and attending  
588 the entire course or seminar qualifies for the same number of  
589 classroom hours as would be granted to a person taking and  
590 successfully completing such course or seminar. Credit is  
591 limited to the number of hours actually taught unless a person  
592 attends the entire course or seminar. An individual who is an  
593 official of or employed by a governmental entity in this state  
594 and serves as a professor, instructor, or other position or  
595 office, the duties and responsibilities of which are determined  
596 by the department to require monitoring and review of insurance  
597 laws or insurance regulations and practices, is exempt from this  
598 section.

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

603 ~~(a)2.a.~~ An appointing entity, except one that appoints  
604 individuals who are employees or exclusive independent  
605 contractors of the appointing entity, may not require, directly  
606 or indirectly, as a condition of such appointment or the  
607 continuation of such appointment, the taking of an approved  
608 course or program by any appointee or potential appointee which  
609 ~~that~~ is not of the appointee's choosing.

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610        (b)~~b~~. Any entity created or existing pursuant to s. 627.351  
611 may require employees to take training of any type relevant to  
612 their employment but may not require appointees who are not  
613 employees to take any approved course or program unless the  
614 course or program deals solely with the appointing entity's  
615 internal procedures or products or with subjects substantially  
616 unique to the appointing entity.

617        ~~(g) A person teaching any approved course of instruction or~~  
618 ~~lecturing at any approved seminar and attending the entire~~  
619 ~~course or seminar shall qualify for the same number of classroom~~  
620 ~~hours as would be granted to a person taking and successfully~~  
621 ~~completing such course, seminar, or program. Credit shall be~~  
622 ~~limited to the number of hours actually taught unless a person~~  
623 ~~attends the entire course or seminar. Any person who is an~~  
624 ~~official of or employed by any governmental entity in this state~~  
625 ~~and serves as a professor, instructor, or in any other position~~  
626 ~~or office the duties and responsibilities of which are~~  
627 ~~determined by the department to require monitoring and review of~~  
628 ~~insurance laws or insurance regulations and practices shall be~~  
629 ~~exempt from this section.~~

630        ~~(h) Excess classroom hours accumulated during any~~  
631 ~~compliance period may be carried forward to the next compliance~~  
632 ~~period.~~

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

637        (6)~~(j)~~ A nonresident licensee who must complete continuing  
638 education requirements in his or her home state may use the home

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639 state requirements to also meet this state's continuing  
640 education requirements ~~as well,~~ if the licensee's ~~resident's~~  
641 home state recognizes reciprocity with this state's continuing  
642 education requirements. A nonresident licensee whose home state  
643 does not have a continuing education requirement but is licensed  
644 for the same class of business in another state that has ~~which~~  
645 ~~does have~~ a continuing education requirement may comply with  
646 this section by furnishing proof of compliance with the other  
647 state's requirement if that state has a reciprocal agreement  
648 with this state relative to continuing education. A nonresident  
649 licensee whose home state does not have such continuing  
650 education requirements, and who is not licensed as a nonresident  
651 licensee agent in a state that has continuing education  
652 requirements and reciprocates with this state, must meet the  
653 continuing education requirements of this state.

654 ~~(k) Any person who holds a license to solicit or sell life~~  
655 ~~insurance in this state must complete a minimum of 3 hours in~~  
656 ~~continuing education, approved by the department, on the subject~~  
657 ~~of suitability in annuity and life insurance transactions. This~~  
658 ~~requirement does not apply to an agent who does not have any~~  
659 ~~active life insurance or annuity contracts. In applying this~~  
660 ~~exemption, the department may require the filing of a~~  
661 ~~certification attesting that the agent has not sold life~~  
662 ~~insurance or annuities during the continuing education~~  
663 ~~compliance cycle in question and does not have any active life~~  
664 ~~insurance or annuity contracts. A licensee may use the hours~~  
665 ~~obtained under this paragraph to satisfy the requirement for~~  
666 ~~continuing education in ethics under paragraph (a).~~

667 (7)~~(4)~~ The following courses may be completed in order to

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668 meet the elective continuing education course requirements:

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

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

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

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

678 (e) Any part of the Certified Insurance Counselor program:  
679 21 hours.

680 (f) Any part of the Accredited Advisor in Insurance: 21  
681 hours.

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

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

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

691 (j) Any course, including courses relating to agency  
692 management or errors and omissions, developed or sponsored by an  
693 ~~any~~ authorized insurer or recognized agents' association or  
694 insurance trade association or an ~~any~~ independent study program  
695 of instruction, subject to approval by the department, qualifies  
696 for the equivalency of the number of classroom hours assigned



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697 ~~thereto~~ by the department. However, unless otherwise provided in  
698 this section, continuing education hours may not be credited  
699 toward meeting the requirements of this section unless the  
700 course is provided by classroom instruction or results in a  
701 monitored examination. A monitored examination is not required  
702 for:

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

707 2. An independent study program of instruction presented on  
708 paper or in printed material which ~~that~~ imposes a final closed  
709 book examination that meets the requirements of the department's  
710 rule for self-study courses. The examination may be taken  
711 without a proctor if ~~provided~~ the student presents to the  
712 provider a sworn affidavit certifying that the student did not  
713 consult any written materials or receive outside assistance of  
714 any kind or from any person, directly or indirectly, while  
715 taking the examination. If the student is an employee of an  
716 agency or corporate entity, the student's supervisor or a  
717 manager or owner of the agency or corporate entity must also  
718 sign the sworn affidavit. If the student is self-employed, a  
719 sole proprietor, or a partner, or if the examination is  
720 administered online, the sworn affidavit must also be signed by  
721 a disinterested third party. The sworn affidavit must be  
722 received by the approved provider before ~~prior to~~ reporting  
723 continuing education credits to the department.

724 (8) ~~(k)~~ Each person or entity sponsoring a course for  
725 continuing education credit must furnish, within 15 ~~30~~ days

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726 after completion of the course, in a form satisfactory to the  
727 department or its designee, a ~~written and certified~~ roster  
728 showing the name and license number of all persons successfully  
729 completing such course and requesting credit, ~~accompanied by the~~  
730 ~~required fee.~~

731 (9) ~~(5)~~ The department may immediately terminate or shall  
732 refuse to renew the appointment of an any agent or adjuster who  
733 has been notified by the department that ~~who has not had~~ his or  
734 her continuing education requirements have not been certified,  
735 unless the agent or adjuster has been granted an extension or  
736 waiver by the department. The department may not issue a new  
737 appointment of the same or similar type, ~~with any insurer,~~ to a  
738 licensee ~~an agent~~ who was denied a renewal appointment for  
739 failing ~~failure~~ to complete continuing education as required  
740 until the licensee ~~agent~~ completes his or her continuing  
741 education requirement.

742 ~~(6) (a) There is created an 11 member continuing education~~  
743 ~~advisory board to be appointed by the Chief Financial Officer.~~  
744 ~~Appointments shall be for terms of 4 years. The purpose of the~~  
745 ~~board is to advise the department in determining standards by~~  
746 ~~which courses may be evaluated and categorized as basic,~~  
747 ~~intermediate, or advanced. The board shall submit~~  
748 ~~recommendations to the department of changes needed in such~~  
749 ~~criteria not less frequently than every 2 years. The department~~  
750 ~~shall require all approved course providers to submit courses~~  
751 ~~for approval to the department using the criteria. All~~  
752 ~~materials, brochures, and advertisements related to the approved~~  
753 ~~courses must specify the level assigned to the course.~~

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

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755           1. ~~Seven members representing agents of which at least one~~  
756 ~~must be a representative from each of the following~~  
757 ~~organizations: the Florida Association of Insurance Agents; the~~  
758 ~~Florida Association of Insurance and Financial Advisors; the~~  
759 ~~Professional Insurance Agents of Florida, Inc.; the Florida~~  
760 ~~Association of Health Underwriters; the Specialty Agents'~~  
761 ~~Association; the Latin American Agents' Association; and the~~  
762 ~~National Association of Insurance Women. Such board members must~~  
763 ~~possess at least a bachelor's degree or higher from an~~  
764 ~~accredited college or university with major coursework in~~  
765 ~~insurance, risk management, or education or possess the~~  
766 ~~designation of CLU, CPCU, ChFC, CFP, AAI, or CIC. In addition,~~  
767 ~~each member must possess 5 years of classroom instruction~~  
768 ~~experience or 5 years of experience in the development or design~~  
769 ~~of educational programs or 10 years of experience as a licensed~~  
770 ~~resident agent. Each organization may submit to the department a~~  
771 ~~list of recommendations for appointment. If one organization~~  
772 ~~does not submit a list of recommendations, the Chief Financial~~  
773 ~~Officer may select more than one recommended person from a list~~  
774 ~~submitted by other eligible organizations.~~

775           2. ~~Two members representing insurance companies at least~~  
776 ~~one of whom must represent a Florida Domestic Company and one of~~  
777 ~~whom must represent the Florida Insurance Council. Such board~~  
778 ~~members must be employed within the training department of the~~  
779 ~~insurance company. At least one such member must be a member of~~  
780 ~~the Society of Insurance Trainers and Educators.~~

781           3. ~~One member representing the general public who is not~~  
782 ~~directly employed in the insurance industry. Such board member~~  
783 ~~must possess a minimum of a bachelor's degree or higher from an~~

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784 ~~accredited college or university with major coursework in~~  
785 ~~insurance, risk management, training, or education.~~

786 ~~4. One member, appointed by the Chief Financial Officer,~~  
787 ~~who represents the department.~~

788 ~~(c) The members of the board shall serve at the pleasure of~~  
789 ~~the Chief Financial Officer. Each board member shall be entitled~~  
790 ~~to reimbursement for expenses pursuant to s. 112.061. The board~~  
791 ~~shall designate one member as chair. The board shall meet at the~~  
792 ~~call of the chair or the Chief Financial Officer.~~

793 ~~(10)(7)~~ The department may contract services relative to  
794 the administration of the continuing education program to a  
795 private entity. The contract shall be procured as a ~~contract for~~  
796 ~~a contractual service pursuant to s. 287.057.~~

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

800 626.2815 Continuing education requirements.-

801 (3) Each licensee ~~subject to this section must, except as~~  
802 ~~set forth in paragraphs (b), (c), (d), and (g), complete a 7-~~  
803 hour update course every 2 years which is specific to the  
804 license held by the licensee. The course must be developed and  
805 offered by providers and approved by the department. The content  
806 of the course must address all lines of insurance for which  
807 examination and license is required and include the following  
808 subject areas: insurance law updates, ethics for insurance  
809 professionals, disciplinary trends and case studies, industry  
810 trends, premium discounts, determining suitability of products  
811 and services, and other similar insurance-related topics the  
812 department determines are relevant to legally and ethically

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813 carrying out the responsibilities of the license granted. A  
814 licensee who holds multiple insurance licenses must complete an  
815 update course that is specific to at least one of the licenses  
816 held. Except as otherwise specified, any remaining required  
817 hours of continuing education are elective and may consist of  
818 any continuing education course approved by the department or  
819 under this section ~~minimum of 24 hours of continuing education~~  
820 ~~courses every 2 years in basic or higher-level courses~~  
821 ~~prescribed by this section or in other courses approved by the~~  
822 ~~department.~~

823 (a) Except as provided in paragraphs (b), (c), (d), and  
824 (e), each licensee must also complete 17 3 hours of elective  
825 continuing education courses, ~~approved by the department,~~ every  
826 2 years ~~on the subject matter of ethics. Each licensed general~~  
827 ~~lines agent and customer representative must complete 1 hour of~~  
828 ~~continuing education, approved by the department, every 2 years~~  
829 ~~on the subject matter of premium discounts available on property~~  
830 ~~insurance policies based on various hurricane mitigation options~~  
831 ~~and the means for obtaining the discounts.~~

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

837 (c) A licensee who has been licensed for 25 years or more  
838 and is a CLU or a CPCU or has a Bachelor of Science degree in  
839 risk management or insurance with evidence of 18 or more  
840 semester hours in ~~upper-level~~ insurance-related courses must  
841 also complete a minimum of 3 10 hours of elective continuing

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842 education courses every 2 years ~~in courses prescribed by this~~  
843 ~~section or in other courses approved by the department.~~

844 (d) An individual who holds a license as a customer  
845 representative, limited customer representative, title agent,  
846 motor vehicle physical damage and mechanical breakdown insurance  
847 agent, or an industrial fire insurance or burglary insurance  
848 agent and who is not a licensed life or health agent, must also  
849 complete a minimum of 3 ~~10~~ hours of continuing education courses  
850 every two years.

851 ~~(e) An individual who holds a license to solicit or sell~~  
852 ~~life or health insurance and a license to solicit or sell~~  
853 ~~property, casualty, surety, or surplus lines insurance must~~  
854 ~~complete courses in life or health insurance for one-half of the~~  
855 ~~total hours required and courses in property, casualty, surety,~~  
856 ~~or surplus lines insurance for one-half of the total hours~~  
857 ~~required. However, a licensee who holds an industrial fire or~~  
858 ~~burglary insurance license and who is a licensed life or health~~  
859 ~~agent must complete 4 hours of continuing education courses~~  
860 ~~every 2 years related to industrial fire or burglary insurance~~  
861 ~~and the remaining number of hours of continuing education~~  
862 ~~courses related to life or health insurance.~~

863 ~~(f) An individual who holds a license to solicit or sell~~  
864 ~~life insurance must complete a minimum of 3 hours in continuing~~  
865 ~~education on suitability in annuity and life insurance~~  
866 ~~transactions. This requirement does not apply to an agent who~~  
867 ~~does not have any active life insurance or annuity contracts. In~~  
868 ~~applying this exemption, the department may require the agent to~~  
869 ~~file a certification attesting that the agent has not sold life~~  
870 ~~insurance or annuities during the continuing education~~

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871 ~~compliance cycle in question and does not have any active life~~  
872 ~~insurance or annuity contracts. A licensee may use the hours~~  
873 ~~obtained under this paragraph to satisfy the requirement for~~  
874 ~~continuing education in ethics under paragraph (a).~~

875 (e) ~~(g)~~ An individual subject to chapter 648 must complete  
876 the 7-hour update course and a minimum of 7 ~~14~~ hours of  
877 continuing education courses every 2 years.

878 (f) Elective continuing education courses for public  
879 adjusters must be specifically designed for public adjusters and  
880 approved by the department. Notwithstanding this subsection,  
881 public adjusters for workers' compensation insurance or health  
882 insurance are not required to take continuing education courses  
883 pursuant to this section.

884 (g) ~~(h)~~ Excess hours accumulated during any 2-year  
885 compliance period may be carried forward to the next compliance  
886 period.

887 (h) ~~(i)~~ An individual teaching an approved course of  
888 instruction or lecturing at an approved seminar and attending  
889 the entire course or seminar qualifies for the same number of  
890 classroom hours as would be granted to a person taking and  
891 successfully completing such course or seminar. Credit is  
892 limited to the number of hours actually taught unless a person  
893 attends the entire course or seminar. An individual who is an  
894 official of or employed by a governmental entity in this state  
895 and serves as a professor, instructor, or other position or  
896 office, the duties and responsibilities of which are determined  
897 by the department to require monitoring and review of insurance  
898 laws or insurance regulations and practices, is exempt from this  
899 section.

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

902 626.292 Transfer of license from another state.—

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

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

910 (a) The individual must ~~shall~~ become a resident of this  
911 state.

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

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

920 1. A certification issued by the appropriate official of  
921 the applicant's home state identifying the type of license and  
922 lines of authority under the license and stating that, at the  
923 time the license from the home state was canceled, the applicant  
924 was in good standing in that state or that the state's Producer  
925 Database records, maintained by the National Association of  
926 Insurance Commissioners, its affiliates, or subsidiaries,  
927 indicate that the agent or all-lines adjuster is or was licensed  
928 in good standing for the line of authority requested.



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

931           (d) The individual must ~~shall~~ satisfy prelicensing  
932 education requirements in this state, unless the completion of  
933 prelicensing education requirements was a prerequisite for  
934 licensure in the other state and the prelicensing education  
935 requirements in the other state are substantially equivalent to  
936 the prelicensing requirements of this state as determined by the  
937 department. This paragraph does not apply to all-lines  
938 adjusters.

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

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

943           626.311 Scope of license.—

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

947           (3) Except with respect ~~as~~ to a limited license as a travel  
948 ~~personal-accident~~ insurance agent, the license of a health agent  
949 covers ~~shall cover~~ all kinds of health insurance; and such ~~no~~  
950 license may not ~~shall~~ be ~~issued~~ limited to a particular class of  
951 health insurance.

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

954           626.321 Limited licenses.—

955           (1) The department shall issue to a qualified applicant  
956 ~~individual, or a qualified individual or entity under paragraphs~~  
957 ~~(c), (d), (e), and (i),~~ a license as agent authorized to

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958 transact a limited class of business in any of the following  
959 categories of limited lines insurance:

960 (a) *Motor vehicle physical damage and mechanical breakdown*  
961 *insurance.*—License covering insurance against only the loss of  
962 or damage to a any motor vehicle that ~~which~~ is designed for use  
963 upon a highway, including trailers and semitrailers designed for  
964 use with such vehicles. Such license also covers insurance  
965 against the failure of an original or replacement part to  
966 perform any function for which it was designed. A licensee under  
967 this paragraph may not ~~The applicant for such a license shall~~  
968 ~~pass a written examination covering motor vehicle physical~~  
969 ~~damage insurance and mechanical breakdown insurance. No~~  
970 ~~individual while so licensed shall~~ hold a license as an agent  
971 for as to any other or additional kind or class of insurance  
972 coverage except as to a limited license for credit insurance  
973 ~~life and disability insurances~~ as provided in paragraph (e).  
974 Effective October 1, 2012, all licensees holding such limited  
975 license and appointment may renew the license and appointment,  
976 but no new or additional licenses may be issued pursuant to this  
977 paragraph, and a licensee whose limited license under this  
978 paragraph has been terminated, suspended, or revoked may not  
979 have such license reinstated.

980 (b) *Industrial fire insurance or burglary insurance.*—  
981 License covering only industrial fire insurance or burglary  
982 insurance. The applicant for such a license must ~~shall~~ pass a  
983 written examination covering such insurance. A licensee under  
984 this paragraph may not ~~No individual while so licensed shall~~  
985 hold a license as an agent for as to any other or additional  
986 kind or class of insurance coverage except for as to life

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987 insurance and health insurance ~~insurances~~.

988 (c) *Travel insurance*.—License covering only policies and  
 989 certificates of travel insurance, which are subject to review by  
 990 the office under s. 624.605(1)(q). Policies and certificates of  
 991 travel insurance may provide coverage for risks incidental to  
 992 travel, planned travel, or accommodations while traveling,  
 993 including, but not limited to, accidental death and  
 994 dismemberment of a traveler; trip cancellation, interruption, or  
 995 delay; loss of or damage to personal effects or travel  
 996 documents; baggage delay; emergency medical travel or evacuation  
 997 of a traveler; or medical, surgical, and hospital expenses  
 998 related to an illness or emergency of a traveler. ~~Any~~ Such  
 999 policy or certificate may be issued for terms longer than 60  
 1000 days, but ~~each policy or certificate~~, other than a policy or  
 1001 certificate providing coverage for air ambulatory services only,  
 1002 each policy or certificate must be limited to coverage for  
 1003 travel or use of accommodations of no longer than 60 days. The  
 1004 license may be issued only:

1005 1. To a full-time salaried employee of a common carrier or  
 1006 a full-time salaried employee or owner of a transportation  
 1007 ticket agency and may authorize the sale of such ticket policies  
 1008 only in connection with the sale of transportation tickets, or  
 1009 to the full-time salaried employee of such an agent. ~~No~~ Such  
 1010 policy may not ~~shall~~ be for a ~~duration of~~ more than 48 hours or  
 1011 more than ~~for~~ the duration of a specified one-way trip or round  
 1012 trip.

1013 2. To an entity or individual that is:

1014 a. The developer of a timeshare plan that is the subject of  
 1015 an approved public offering statement under chapter 721;

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1016           b. An exchange company operating an exchange program  
1017 approved under chapter 721;

1018           c. A managing entity operating a timeshare plan approved  
1019 under chapter 721;

1020           d. A seller of travel as defined in chapter 559; or

1021           e. A subsidiary or affiliate of any of the entities  
1022 described in sub-subparagraphs a.-d.

1023  
1024 A licensee shall require each employee who offers policies or  
1025 certificates under this subparagraph to receive initial training  
1026 from a general lines agent or an insurer authorized under  
1027 chapter 624 to transact insurance within this state. For an  
1028 entity applying for a license as a travel insurance agent, the  
1029 fingerprinting requirement of this section applies only to the  
1030 president, secretary, and treasurer and to any other officer or  
1031 person who directs or controls the travel insurance operations  
1032 of the entity.

1033           (d) *Motor vehicle rental insurance.*—

1034           1. License covering only insurance of the risks set forth  
1035 in this paragraph when offered, sold, or solicited with and  
1036 incidental to the rental or lease of a motor vehicle and which  
1037 applies only to the motor vehicle that is the subject of the  
1038 lease or rental agreement and the occupants of the motor  
1039 vehicle:

1040           a. Excess motor vehicle liability insurance providing  
1041 coverage in excess of the standard liability limits provided by  
1042 the lessor in the lessor's lease to a person renting or leasing  
1043 a motor vehicle from the licensee's employer for liability  
1044 arising in connection with the negligent operation of the leased

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1045 or rented motor vehicle.

1046 b. Insurance covering the liability of the lessee to the  
1047 lessor for damage to the leased or rented motor vehicle.

1048 c. Insurance covering the loss of or damage to baggage,  
1049 personal effects, or travel documents of a person renting or  
1050 leasing a motor vehicle.

1051 d. Insurance covering accidental personal injury or death  
1052 of the lessee and any passenger who is riding or driving with  
1053 the covered lessee in the leased or rented motor vehicle.

1054 2. Insurance under a motor vehicle rental insurance license  
1055 may be issued only if the lease or rental agreement is for no  
1056 more than 60 days, the lessee is not provided coverage for more  
1057 than 60 consecutive days per lease period, and the lessee is  
1058 given written notice that his or her personal insurance policy  
1059 providing coverage on an owned motor vehicle may provide  
1060 coverage of such risks and that the purchase of the insurance is  
1061 not required in connection with the lease or rental of a motor  
1062 vehicle. If the lease is extended beyond 60 days, the coverage  
1063 may be extended one time only for a period not to exceed an  
1064 additional 60 days. Insurance may be provided to the lessee as  
1065 an additional insured on a policy issued to the licensee's  
1066 employer.

1067 3. The license may be issued only to the full-time salaried  
1068 employee of a licensed general lines agent or to a business  
1069 entity that offers motor vehicles for rent or lease if insurance  
1070 sales activities authorized by the license are in connection  
1071 with and incidental to the rental or lease of a motor vehicle.

1072 a. A license issued to a business entity that offers motor  
1073 vehicles for rent or lease encompasses ~~shall encompass~~ each

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1074 office, branch office, or place of business making use of the  
1075 entity's business name in order to offer, solicit, and sell  
1076 insurance pursuant to this paragraph.

1077       b. The application for licensure must list the name,  
1078 address, and phone number for each office, branch office, or  
1079 place of business that is to be covered by the license. The  
1080 licensee shall notify the department of the name, address, and  
1081 phone number of any new location that is to be covered by the  
1082 license before the new office, branch office, or place of  
1083 business engages in the sale of insurance pursuant to this  
1084 paragraph. The licensee must ~~shall~~ notify the department within  
1085 30 days after closing or terminating an office, branch office,  
1086 or place of business. Upon receipt of the notice, the department  
1087 shall delete the office, branch office, or place of business  
1088 from the license.

1089       c. A licensed and appointed entity is directly responsible  
1090 and accountable for all acts of the licensee's employees.

1091       (e) ~~Credit life or disability insurance.~~—License covering  
1092 only credit life, credit or disability insurance, credit  
1093 property, credit unemployment, involuntary unemployment,  
1094 mortgage life, mortgage guaranty, mortgage disability,  
1095 guaranteed automobile protection (GAP) insurance, and any other  
1096 form of insurance offered in connection with an extension of  
1097 credit which is limited to partially or wholly extinguishing a  
1098 credit obligation that the department determines should be  
1099 designated a form of limited line credit insurance. The license  
1100 may be issued only to an individual employed by a life or health  
1101 insurer as an officer or other salaried or commissioned  
1102 representative, to an individual employed by or associated with

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1103 a lending or financial institution or creditor, or to a lending  
1104 or financial institution or creditor, and may authorize the sale  
1105 of such insurance only with respect to borrowers or debtors of  
1106 such lending or financing institution or creditor. However, only  
1107 the individual or entity whose tax identification number is used  
1108 in receiving or is credited with receiving the commission from  
1109 the sale of such insurance shall be the licensed agent of the  
1110 insurer. An ~~No~~ individual ~~while~~ so licensed may not ~~shall~~ hold a  
1111 license as an agent as to any other or additional kind or class  
1112 of life or health insurance coverage. Effective October 1, 2012,  
1113 all valid licenses held by persons for any of the lines of  
1114 insurance listed in this paragraph shall be converted to a  
1115 credit insurance license. Licensees who wish to obtain a new  
1116 license reflecting such change must request a duplicate license  
1117 and pay a \$5 fee as specified in s. 624.501(15). ~~An entity~~  
1118 ~~holding a limited license under this paragraph is also~~  
1119 ~~authorized to sell credit insurance and credit property~~  
1120 ~~insurance.~~

1121 ~~(f) Credit insurance. License covering only credit~~  
1122 ~~insurance, as such insurance is defined in s. 624.605(1)(i), and~~  
1123 ~~no individual or entity so licensed shall, during the same~~  
1124 ~~period, hold a license as an agent as to any other or additional~~  
1125 ~~kind of life or health insurance with the exception of credit~~  
1126 ~~life or disability insurance as defined in paragraph (e). The~~  
1127 ~~same licensing provisions as outlined in paragraph (e) apply to~~  
1128 ~~entities licensed as credit insurance agents under this~~  
1129 ~~paragraph.~~

1130 ~~(g) Credit property insurance. A license covering only~~  
1131 ~~credit property insurance may be issued to any individual except~~

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1132 ~~an individual employed by or associated with a financial~~  
1133 ~~institution as defined in s. 655.005 and authorized to sell such~~  
1134 ~~insurance only with respect to a borrower or debtor, not to~~  
1135 ~~exceed the amount of the loan.~~

1136 (f) ~~(h)~~ *Crop hail and multiple-peril crop insurance.*—License  
1137 for insurance covering crops subject to unfavorable weather  
1138 conditions, fire or lightening, flood, hail, insect infestation,  
1139 disease, or other yield-reducing conditions or perils which is  
1140 provided by the private insurance market, or which is subsidized  
1141 by the Federal Group Insurance Corporation including multi-peril  
1142 crop insurance ~~only crop hail and multiple-peril crop insurance.~~  
1143 Notwithstanding any other provision of law, the limited license  
1144 may be issued to a bona fide salaried employee of an association  
1145 chartered under the Farm Credit Act of 1971, 12 U.S.C. ss. 2001  
1146 et seq., who satisfactorily completes the examination prescribed  
1147 by the department pursuant to s. 626.241(5). The ~~limited~~ agent  
1148 must be appointed by, and his or her limited license requested  
1149 by, a licensed general lines agent. All business transacted by  
1150 the ~~limited~~ agent must be on ~~shall be in~~ behalf of, in the name  
1151 of, and countersigned by the agent by whom he or she is  
1152 appointed. Sections 626.561 and 626.748, relating to records,  
1153 apply to all business written pursuant to this section. The  
1154 ~~limited~~ licensee may be appointed by and licensed for only one  
1155 general lines agent or agency.

1156 (g) ~~(i)~~ *In-transit and storage personal property insurance* ~~+~~  
1157 ~~communications equipment property insurance, communications~~  
1158 ~~equipment inland marine insurance, and communications equipment~~  
1159 ~~service warranty agreement sales.~~—

1160 1. A License for insurance covering only ~~the insurance of~~



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1161 personal property not held for resale, covering the risks of  
1162 transportation or storage in rented or leased motor vehicles,  
1163 trailers, or self-service storage facilities, ~~as the latter are~~  
1164 defined in s. 83.803. Such license, may be issued, without  
1165 examination, only to employees or authorized representatives of  
1166 lessors who rent or lease motor vehicles, trailers, or self-  
1167 service storage facilities and who are authorized by an insurer  
1168 to issue certificates or other evidences of insurance to lessees  
1169 of such motor vehicles, trailers, or self-service storage  
1170 facilities under an insurance policy issued to the lessor. A  
1171 person licensed under this paragraph must ~~shall~~ give a  
1172 prospective purchaser of in-transit or storage personal property  
1173 insurance written notice that his or her homeowner's policy may  
1174 provide coverage for the loss of personal property and that the  
1175 purchase of such insurance is not required under the lease  
1176 terms.

1177 ~~2. A license covering only communications equipment, for~~  
1178 ~~the loss, theft, mechanical failure, malfunction of or damage~~  
1179 ~~to, communications equipment. The license may be issued only to:~~

1180 ~~a. Employees or authorized representatives of a licensed~~  
1181 ~~general lines agent;~~

1182 ~~b. The lead business location of a retail vendor of~~  
1183 ~~communications equipment and its branch locations; or~~

1184 ~~c. Employees, agents, or authorized representatives of a~~  
1185 ~~retail vendor of communications equipment.~~

1186  
1187 ~~The license authorizes the sale of such policies, or~~  
1188 ~~certificates under a group master policy, only with respect to~~  
1189 ~~the sale of, or provision of communications service for,~~

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1190 ~~communications equipment. A general lines agent is not required~~  
1191 ~~to obtain a license under this subparagraph to offer or sell~~  
1192 ~~communications equipment property insurance or communication~~  
1193 ~~equipment inland marine insurance. The license also authorizes~~  
1194 ~~sales of service warranty agreements covering only~~  
1195 ~~communications equipment to the same extent as if licensed under~~  
1196 ~~s. 634.419 or s. 634.420. The provisions of this chapter~~  
1197 ~~requiring submission of fingerprints do not apply to~~  
1198 ~~communications equipment licenses issued to qualified entities~~  
1199 ~~under this subparagraph. Licensees offering policies under this~~  
1200 ~~subparagraph must receive initial training from, and have a~~  
1201 ~~contractual relationship with, a general lines agent. For the~~  
1202 ~~purposes of this subparagraph, the term "communications~~  
1203 ~~equipment" means handsets, pagers, personal digital assistants,~~  
1204 ~~portable computers, automatic answering devices, and other~~  
1205 ~~devices or accessories used to originate or receive~~  
1206 ~~communications signals or service, and includes services related~~  
1207 ~~to the use of such devices, such as consumer access to a~~  
1208 ~~wireless network; however, the term does not include~~  
1209 ~~telecommunications switching equipment, transmission wires, cell~~  
1210 ~~site transceiver equipment, or other equipment and systems used~~  
1211 ~~by telecommunications companies to provide telecommunications~~  
1212 ~~service to consumers. A branch location of a retail vendor of~~  
1213 ~~communications equipment licensed pursuant to paragraph (2) (b)~~  
1214 ~~may, in lieu of obtaining an appointment from an insurer or~~  
1215 ~~warranty association as provided in paragraph (2) (c), obtain a~~  
1216 ~~single appointment from the associated lead business location~~  
1217 ~~licensee licensed under paragraph (2) (a) and pay the prescribed~~  
1218 ~~appointment fee under s. 624.501 provided the lead business~~

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1219 ~~location has a single appointment from each insurer or warranty~~  
1220 ~~association represented and such appointment provides that it~~  
1221 ~~applies to the lead business location and all of its branch~~  
1222 ~~locations. Any branch location individually appointed by an~~  
1223 ~~insurer under paragraph (2) (c) prior to January 1, 2006, may~~  
1224 ~~replace its appointments with an appointment from its lead~~  
1225 ~~location at no charge. Branch location appointments shall be~~  
1226 ~~renewed on the first annual anniversary of licensure of the lead~~  
1227 ~~business location occurring more than 24 months after the~~  
1228 ~~initial appointment date and every 24 months thereafter.~~  
1229 ~~Notwithstanding s. 624.501, after July 1, 2006, the renewal fee~~  
1230 ~~applicable to such branch location appointments shall be \$30 per~~  
1231 ~~appointment.~~

1232 (h) Portable electronics insurance.—License for property  
1233 insurance or inland marine insurance that covers only loss,  
1234 theft, mechanical failure, malfunction, or damage for portable  
1235 electronics.

1236 1. The license may be issued only to:

1237 a. Employees or authorized representatives of a licensed  
1238 general lines agent; or

1239 b. The lead business location of a retail vendor that sells  
1240 portable electronics insurance. The lead business location must  
1241 have a contractual relationship with a general lines agent.

1242 2. Employees or authorized representatives of a licensee  
1243 under subparagraph 1. may sell or offer for sale portable  
1244 electronics coverage without being subject to licensure as an  
1245 insurance agent if:

1246 a. Such insurance is sold or offered for sale at a licensed  
1247 location or at one of the licensee's branch locations if the

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1248 branch location is appointed by the licensed lead business  
1249 location or its appointing insurers;

1250 b. The insurer issuing the insurance directly supervises or  
1251 appoints a general lines agent to supervise the sale of such  
1252 insurance, including the development of a training program for  
1253 the employees and authorized representatives of vendors that are  
1254 directly engaged in the activity of selling or offering the  
1255 insurance; and

1256 c. At each location where the insurance is offered,  
1257 brochures or other written materials that provide the  
1258 information required by this subparagraph are made available to  
1259 all prospective customers. The brochures or written materials  
1260 may include information regarding portable electronics  
1261 insurance, service warranty agreements, or other incidental  
1262 services or benefits offered by a licensee.

1263 3. Individuals not licensed to sell portable electronics  
1264 insurance may not be paid commissions based on the sale of such  
1265 coverage. However, a licensee who uses a compensation plan for  
1266 employees and authorized representatives which includes  
1267 supplemental compensation for the sale of noninsurance products,  
1268 in addition to a regular salary or hourly wages, may include  
1269 incidental compensation for the sale of portable electronics  
1270 insurance as a component of the overall compensation plan.

1271 4. Brochures or other written materials related to portable  
1272 electronics insurance must:

1273 a. Disclose that such insurance may duplicate coverage  
1274 already provided by a customer's homeowners' insurance policy,  
1275 renters' insurance policy, or other source of coverage;

1276 b. State that enrollment in insurance coverage is not

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1277 required in order to purchase or lease portable electronics or  
1278 services;

1279 c. Summarize the material terms of the insurance coverage,  
1280 including the identity of the insurer, the identity of the  
1281 supervising entity, the amount of any applicable deductible and  
1282 how it is to be paid, the benefits of coverage, and key terms  
1283 and conditions of coverage, such as whether portable electronics  
1284 may be repaired or replaced with similar make and model  
1285 reconditioned or nonoriginal manufacturer parts or equipment;

1286 d. Summarize the process for filing a claim, including a  
1287 description of how to return portable electronics and the  
1288 maximum fee applicable if the customer fails to comply with  
1289 equipment return requirements; and

1290 e. State that an enrolled customer may cancel coverage at  
1291 any time and that the person paying the premium will receive a  
1292 refund of any unearned premium.

1293 5. A licensed and appointed general lines agent is not  
1294 required to obtain a portable electronics insurance license to  
1295 offer or sell portable electronics insurance at locations  
1296 already licensed as an insurance agency, but may apply for a  
1297 portable electronics insurance license for branch locations not  
1298 otherwise licensed to sell insurance.

1299 6. A portable electronics license authorizes the sale of  
1300 individual policies or certificates under a group or master  
1301 insurance policy. The license also authorizes the sale of  
1302 service warranty agreements covering only portable electronics  
1303 to the same extent as if licensed under s. 634.419 or s.  
1304 634.420.

1305 7. A licensee may bill and collect the premium for the

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1306 purchase of portable electronics insurance provided that:

1307 a. If the insurance is included with the purchase or lease  
1308 of portable electronics or related services, the licensee  
1309 clearly and conspicuously discloses that insurance coverage is  
1310 included with the purchase. Disclosure of the dollar amount of  
1311 the premium for the insurance must be made on the customer's  
1312 bill and in any marketing materials made available at the point  
1313 of sale. If the insurance is not included, the charge to the  
1314 customer for the insurance must be separately itemized on the  
1315 customer's bill.

1316 b. Premiums are incidental to other fees collected, are  
1317 maintained in a manner that is readily identifiable, and are  
1318 accounted for and remitted to the insurer or supervising entity  
1319 within 60 days of receipt. Licensees are not required to  
1320 maintain such funds in a segregated account.

1321 c. All funds received by a licensee from an enrolled  
1322 customer for the sale of the insurance are considered funds held  
1323 in trust by the licensee in a fiduciary capacity for the benefit  
1324 of the insurer. Licensees may receive compensation for billing  
1325 and collection services.

1326 8. Notwithstanding any other provision of law, the terms  
1327 for the termination or modification of coverage under a policy  
1328 of portable electronics insurance are those set forth in the  
1329 policy.

1330 9. Notice or correspondence required by the policy, or  
1331 otherwise required by law, may be provided by electronic means  
1332 if the insurer or licensee maintains proof that the notice or  
1333 correspondence was sent. Such notice or correspondence may be  
1334 sent on behalf of the insurer or licensee by the general lines

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1335 agent appointed by the insurer to supervise the administration  
1336 of the program. For purposes of this subparagraph, an enrolled  
1337 customer's provision of an electronic mail address to the  
1338 insurer or licensee is deemed to be consent to receive notices  
1339 and correspondence by electronic means if a conspicuously  
1340 located disclosure is provided to the customer indicating the  
1341 same.

1342 10. The provisions of this chapter requiring submission of  
1343 fingerprints do not apply to licenses issued to qualified  
1344 entities under this paragraph.

1345 11. A branch location that sells portable electronics  
1346 insurance may, in lieu of obtaining an appointment from an  
1347 insurer or warranty association, obtain a single appointment  
1348 from the associated lead business location licensee and pay the  
1349 prescribed appointment fee under s. 624.501 if the lead business  
1350 location has a single appointment from each insurer or warranty  
1351 association represented and such appointment applies to the lead  
1352 business location and all of its branch locations. Branch  
1353 location appointments shall be renewed 24 months after the lead  
1354 business location initial appointment date and every 24 months  
1355 thereafter. Notwithstanding s. 624.501, the renewal fee  
1356 applicable to such branch location appointments is \$30 per  
1357 appointment.

1358 12. For purposes of this paragraph:

1359 a. "Branch location" means any physical location in this  
1360 state at which a licensee offers its products or services for  
1361 sale.

1362 b. "Portable electronics" means personal, self-contained,  
1363 easily carried by an individual, battery-operated electronic

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1364 communication, viewing, listening, recording, gaming, computing  
1365 or global positioning devices, including cell or satellite  
1366 phones, pagers, personal global positioning satellite units,  
1367 portable computers, portable audio listening, video viewing or  
1368 recording devices, digital cameras, video camcorders, portable  
1369 gaming systems, docking stations, automatic answering devices,  
1370 and other similar devices and their accessories, and service  
1371 related to the use of such devices.

1372 c. "Portable electronics transaction" means the sale or  
1373 lease of portable electronics or a related service, including  
1374 portable electronics insurance.

1375 (4) Except as otherwise expressly provided, a person  
1376 applying for or holding a limited license is ~~shall be~~ subject to  
1377 the same applicable requirements and responsibilities that ~~as~~  
1378 apply to general lines agents in general, ~~if licensed as to~~  
1379 motor vehicle physical damage and mechanical breakdown  
1380 insurance, ~~credit property insurance,~~ industrial fire insurance  
1381 or burglary insurance, motor vehicle rental insurance, credit  
1382 insurance, crop hail and multiple-peril crop insurance, in-  
1383 transit and storage personal property insurance, or portable  
1384 electronics insurance ~~communications equipment property~~  
1385 ~~insurance or communications equipment inland marine insurance,~~  
1386 ~~baggage and motor vehicle excess liability insurance, or credit~~  
1387 ~~insurance;~~ or as apply to life agents or health agents in  
1388 general, as applicable ~~the case may be,~~ if licensed as to travel  
1389 ~~personal accident insurance or credit life or credit disability~~  
1390 insurance.

1391 Section 17. Section 626.342, Florida Statutes, is amended  
1392 to read:



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1393           626.342 Furnishing supplies to unlicensed ~~life, health, or~~  
1394 ~~general lines~~ agent prohibited; civil liability.-

1395           (1) An insurer, a managing general agent, an insurance  
1396 agency, or an agent, directly or through a ~~any~~ representative,  
1397 may not furnish to an ~~any~~ agent any blank forms, applications,  
1398 stationery, or other supplies to be used in soliciting,  
1399 negotiating, or effecting contracts of insurance on its behalf  
1400 unless such blank forms, applications, stationery, or other  
1401 supplies relate to a class of business for ~~with respect to~~ which  
1402 the agent is licensed and appointed, whether for that insurer or  
1403 another insurer.

1404           (2) An ~~Any~~ insurer, general agent, insurance agency, or  
1405 agent who furnishes any of the supplies specified in subsection  
1406 (1) to an ~~any~~ agent or prospective agent not appointed to  
1407 represent the insurer and who accepts from or writes any  
1408 insurance business for such agent or agency is subject to civil  
1409 liability to an ~~any~~ insured of such insurer to the same extent  
1410 and ~~in the same~~ manner as if such agent or prospective agent had  
1411 been appointed or authorized by the insurer or such agent to act  
1412 on ~~in~~ its or his or her behalf. The provisions of this  
1413 subsection do not apply to insurance risk apportionment plans  
1414 under s. 627.351.

1415           (3) This section does not apply to the placing of surplus  
1416 lines business under the provisions of ss. 626.913-626.937.

1417           Section 18. Subsection (1) of section 626.381, Florida  
1418 Statutes, is amended to read:

1419           626.381 Renewal, continuation, reinstatement, or  
1420 termination of appointment.-

1421           (1) The appointment of an appointee continues ~~shall~~

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1422 ~~continue~~ in force until suspended, revoked, or otherwise  
1423 terminated, but is subject to a renewal request filed by the  
1424 appointing entity in the appointee's birth month as to natural  
1425 persons or the month the original appointment was issued ~~license~~  
1426 ~~date~~ as to entities and every 24 months thereafter, accompanied  
1427 by payment of the renewal appointment fee and taxes as  
1428 prescribed in s. 624.501.

1429 Section 19. Section 626.536, Florida Statutes, is amended  
1430 to read:

1431 626.536 Reporting of administrative actions. ~~Each agent and~~  
1432 ~~insurance agency shall submit to the department,~~ Within 30 days  
1433 after the final disposition of an ~~any~~ administrative action  
1434 taken against a licensee ~~the agent~~ or insurance agency by a  
1435 governmental agency or other regulatory agency in this or any  
1436 other state or jurisdiction relating to the business of  
1437 insurance, the sale of securities, or activity involving fraud,  
1438 dishonesty, trustworthiness, or breach of a fiduciary duty, the  
1439 licensee or insurance agency must submit a copy of the order,  
1440 consent to order, or other relevant legal documents to the  
1441 department. The department may adopt rules to administer  
1442 ~~implementing the provisions of~~ this section.

1443 Section 20. Section 626.551, Florida Statutes, is amended  
1444 to read:

1445 626.551 Notice of change of address, name. ~~A~~ Every licensee  
1446 must ~~shall~~ notify the department, in writing, within 30 ~~60~~ days  
1447 after a change of name, residence address, principal business  
1448 street address, mailing address, contact telephone numbers,  
1449 including a business telephone number, or e-mail address. A  
1450 licensee ~~licensed agent~~ who has moved his or her residence from

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1451 this state shall have his or her license and all appointments  
1452 immediately terminated by the department. Failure to notify the  
1453 department within the required time ~~period~~ shall result in a  
1454 fine not to exceed \$250 for the first offense and, ~~for~~  
1455 ~~subsequent offenses~~, a fine of at least \$500 or suspension or  
1456 revocation of the license pursuant to s. 626.611, s. 626.6115,  
1457 ~~or s. 626.621,~~ or s. 626.6215 for a subsequent offense. The  
1458 department may adopt rules to administer and enforce this  
1459 section.

1460 Section 21. Subsection (14) is added to section 626.621,  
1461 Florida Statutes, to read:

1462 626.621 Grounds for discretionary refusal, suspension, or  
1463 revocation of agent's, adjuster's, customer representative's,  
1464 service representative's, or managing general agent's license or  
1465 appointment.—The department may, in its discretion, deny an  
1466 application for, suspend, revoke, or refuse to renew or continue  
1467 the license or appointment of any applicant, agent, adjuster,  
1468 customer representative, service representative, or managing  
1469 general agent, and it may suspend or revoke the eligibility to  
1470 hold a license or appointment of any such person, if it finds  
1471 that as to the applicant, licensee, or appointee any one or more  
1472 of the following applicable grounds exist under circumstances  
1473 for which such denial, suspension, revocation, or refusal is not  
1474 mandatory under s. 626.611:

1475 (14) Failure to comply with any civil, criminal, or  
1476 administrative action taken by the child support enforcement  
1477 program under Title IV-D of the Social Security Act, 42 U.S.C.  
1478 ss. 651 et seq., to determine paternity or to establish, modify,  
1479 enforce, or collect support.

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1480 Section 22. Subsection (4) of section 626.641, Florida  
1481 Statutes, is amended to read:

1482 626.641 Duration of suspension or revocation.—

1483 (4) During the period of suspension or revocation of a the  
1484 license or appointment, and until the license is reinstated or,  
1485 if revoked, a new license issued, the former licensee or  
1486 appointee may ~~shall~~ not engage in or attempt or profess to  
1487 engage in any transaction or business for which a license or  
1488 appointment is required under this code or directly or  
1489 indirectly own, control, or be employed in any manner by an any  
1490 insurance agent, or agency, or adjuster, or adjusting firm.

1491 Section 23. Subsection (1) of section 626.651, Florida  
1492 Statutes, is amended to read:

1493 626.651 Effect of suspension, revocation upon associated  
1494 licenses and appointments and licensees and appointees.—

1495 (1) Upon suspension, revocation, or refusal to renew or  
1496 continue any one license of a licensee ~~an agent or customer~~  
1497 ~~representative~~, or upon suspension or revocation of eligibility  
1498 to hold a license or appointment, the department shall at the  
1499 same time likewise suspend or revoke all other licenses,  
1500 appointments, or status of eligibility held by the licensee or  
1501 appointee under this code.

1502 Section 24. Subsection (4) of section 626.730, Florida  
1503 Statutes, is amended to read:

1504 626.730 Purpose of license.—

1505 (4) This section does not prohibit a person who is employed  
1506 by or associated with a motor vehicle sales or financing agency,  
1507 a retail sales establishment, or a consumer loan office from  
1508 holding the licensing under a limited license for credit

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1509 insurance or ~~as to~~ motor vehicle physical damage and mechanical  
 1510 breakdown insurance for the purpose of insuring ~~or credit~~  
 1511 ~~property insurance of any person employed by or associated with~~  
 1512 ~~a motor vehicle sales or financing agency, a retail sales~~  
 1513 ~~establishment, or a consumer loan office, other than a consumer~~  
 1514 ~~loan office owned by or affiliated with a financial institution~~  
 1515 ~~as defined in s. 655.005, with respect to insurance of the~~  
 1516 ~~interest of such entity agency in a motor vehicle sold or~~  
 1517 ~~financed by it or in personal property if used as collateral for~~  
 1518 ~~a loan.~~

1519 (5) This section does not apply ~~with respect~~ to the  
 1520 interest of a real estate mortgagee in or as to insurance  
 1521 covering such interest or in the real estate subject to such  
 1522 mortgage.

1523 Section 25. Section 626.732, Florida Statutes, is amended  
 1524 to read:

1525 626.732 Requirement as to knowledge, experience, or  
 1526 instruction.-

1527 (1) Except as provided in subsection (4) ~~(3)~~, an ~~no~~  
 1528 applicant for a license as a general lines agent ~~or personal~~  
 1529 ~~lines agent~~, except for a chartered property and casualty  
 1530 underwriter (CPCU), may not ~~other than as to a limited license~~  
 1531 ~~as to baggage and motor vehicle excess liability insurance,~~  
 1532 ~~credit property insurance, credit insurance, in-transit and~~  
 1533 ~~storage personal property insurance, or communications equipment~~  
 1534 ~~property insurance or communication equipment inland marine~~  
 1535 ~~insurance, shall~~ be qualified or licensed unless, within the 4  
 1536 years immediately preceding the date the application for license  
 1537 is filed with the department, the applicant has:

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1538 (a) Taught or successfully completed classroom courses in  
1539 insurance, 3 hours of which must ~~shall~~ be on the subject matter  
1540 of ethics, ~~satisfactory to the department~~ at a school, college,  
1541 or extension division thereof, approved by the department. ~~To~~  
1542 ~~qualify for licensure as a personal lines agent, the applicant~~  
1543 ~~must complete a total of 52 hours of classroom courses in~~  
1544 ~~insurance;~~

1545 (b) Completed a correspondence course in insurance, 3 hours  
1546 of which must ~~shall~~ be on the subject matter of ethics,  
1547 satisfactory to the department and regularly offered by  
1548 accredited institutions of higher learning in this state, and  
1549 ~~have, except if he or she is applying for a limited license~~  
1550 ~~under s. 626.321, for licensure as a general lines agent, has~~  
1551 ~~had~~ at least 6 months of responsible insurance duties as a  
1552 substantially full-time bona fide employee in all lines of  
1553 property and casualty insurance set forth in the definition of  
1554 general lines agent under s. 626.015 ~~or, for licensure as a~~  
1555 ~~personal lines agent, has completed at least 3 months in~~  
1556 ~~responsible insurance duties as a substantially full-time~~  
1557 ~~employee in property and casualty insurance sold to individuals~~  
1558 ~~and families for noncommercial purposes;~~

1559 (c) ~~For licensure as a general lines agent,~~ Completed at  
1560 least 1 year in responsible insurance duties as a substantially  
1561 full-time bona fide employee in all lines of property and  
1562 casualty insurance, ~~exclusive of aviation and wet marine and~~  
1563 ~~transportation insurances but not exclusive of boats of less~~  
1564 ~~than 36 feet in length or aircraft not held out for hire,~~ as set  
1565 forth in the definition of a general lines agent under s.  
1566 626.015, but without the education requirement described

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1567 mentioned in paragraph (a) or paragraph (b) ~~or, for licensure as~~  
1568 ~~a personal lines agent, has completed at least 6 months in~~  
1569 ~~responsible insurance duties as a substantially full-time~~  
1570 ~~employee in property and casualty insurance sold to individuals~~  
1571 ~~and families for noncommercial purposes without the education~~  
1572 ~~requirement in paragraph (a) or paragraph (b);~~

1573 (d)1. ~~For licensure as a general lines agent, Completed at~~  
1574 ~~least 1 year of responsible insurance duties as a licensed and~~  
1575 ~~appointed customer representative or limited customer~~  
1576 ~~representative in commercial or personal lines of property and~~  
1577 ~~casualty insurance and 40 hours of classroom courses approved by~~  
1578 ~~the department covering the areas of property, casualty, surety,~~  
1579 ~~health, and marine insurance; or~~

1580 2. ~~For licensure as a personal lines agent, completed at~~  
1581 ~~least 6 months of responsible duties as a licensed and appointed~~  
1582 ~~customer representative or limited customer representative in~~  
1583 ~~property and casualty insurance sold to individuals and families~~  
1584 ~~for noncommercial purposes and 20 hours of classroom courses~~  
1585 ~~approved by the department which are related to property and~~  
1586 ~~casualty insurance sold to individuals and families for~~  
1587 ~~noncommercial purposes;~~

1588 (e)1. ~~For licensure as a general lines agent, Completed at~~  
1589 ~~least 1 year of responsible insurance duties as a licensed and~~  
1590 ~~appointed service representative in either commercial or~~  
1591 ~~personal lines of property and casualty insurance and 80 hours~~  
1592 ~~of classroom courses approved by the department covering the~~  
1593 ~~areas of property, casualty, surety, health, and marine~~  
1594 ~~insurance.; or~~

1595 2. ~~For licensure as a personal lines agent, completed at~~

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1596 ~~least 6 months of responsible insurance duties as a licensed and~~  
1597 ~~appointed service representative in property and casualty~~  
1598 ~~insurance sold to individuals and families for noncommercial~~  
1599 ~~purposes and 40 hours of classroom courses approved by the~~  
1600 ~~department related to property and casualty insurance sold to~~  
1601 ~~individuals and families for noncommercial purposes; or~~

1602 (2) Except as provided under subsection (4), an applicant  
1603 for a license as a personal lines agent, except for a chartered  
1604 property and casualty underwriter (CPCU), may not be qualified  
1605 or licensed unless, within the 4 years immediately preceding the  
1606 date the application for license is filed with the department,  
1607 the applicant has:

1608 (a) Taught or successfully completed classroom courses in  
1609 insurance, 3 hours of which must be on the subject matter of  
1610 ethics, at a school, college, or extension division thereof,  
1611 approved by the department. To qualify for licensure, the  
1612 applicant must complete a total of 52 hours of classroom courses  
1613 in insurance;

1614 (b) Completed a correspondence course in insurance, 3 hours  
1615 of which must be on the subject matter of ethics, satisfactory  
1616 to the department and regularly offered by accredited  
1617 institutions of higher learning in this state, and completed at  
1618 least 3 months of responsible insurance duties as a  
1619 substantially full-time employee in the area of property and  
1620 casualty insurance sold to individuals and families for  
1621 noncommercial purposes;

1622 (c) Completed at least 6 months of responsible insurance  
1623 duties as a substantially full-time employee in the area of  
1624 property and casualty insurance sold to individuals and families



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1625 for noncommercial purposes, but without the education  
1626 requirement described in paragraph (a) or paragraph (b);

1627 (d) Completed at least 6 months of responsible duties as a  
1628 licensed and appointed customer representative or limited  
1629 customer representative in property and casualty insurance sold  
1630 to individuals and families for noncommercial purposes and 20  
1631 hours of classroom courses approved by the department which are  
1632 related to property and casualty insurance sold to individuals  
1633 and families for noncommercial purposes;

1634 (e) Completed at least 6 months of responsible insurance  
1635 duties as a licensed and appointed service representative in  
1636 property and casualty insurance sold to individuals and families  
1637 for noncommercial purposes and 40 hours of classroom courses  
1638 approved by the department related to property and casualty  
1639 insurance sold to individuals and families for noncommercial  
1640 purposes; or

1641 ~~(f) For licensure as a personal lines agent,~~ Completed at  
1642 least 3 years of responsible duties as a licensed and appointed  
1643 customer representative in property and casualty insurance sold  
1644 to individuals and families for noncommercial purposes.

1645 ~~(3)-(2) If~~ Where an applicant's qualifications as required  
1646 under subsection (1) or subsection (2) in paragraph (1)(b) or  
1647 paragraph (1)(c) are based in part upon the periods of  
1648 employment in at responsible insurance duties prescribed  
1649 therein, the applicant shall submit with the license application  
1650 for license, on a form prescribed by the department, an the  
1651 affidavit of his or her employer setting forth the period of  
1652 such employment, that the employment same was substantially  
1653 full-time, and giving a brief abstract of the nature of the

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1654 duties performed by the applicant.

1655 (4)~~(3)~~ An individual who was or became qualified to sit for  
 1656 an agent's, customer representative's, or adjuster's examination  
 1657 at or during the time he or she was employed by the department  
 1658 or office and who, while so employed, was employed in  
 1659 responsible insurance duties as a full-time bona fide employee  
 1660 may ~~shall be permitted to~~ take an examination if application for  
 1661 such examination is made within 90 days after the date of  
 1662 termination of ~~his or her~~ employment with the department or  
 1663 office.

1664 (5)~~(4)~~ Classroom and correspondence courses under  
 1665 subsections (1) and (2) ~~subsection (1)~~ must include instruction  
 1666 on the subject matter of unauthorized entities engaging in the  
 1667 business of insurance. The scope of the topic of unauthorized  
 1668 entities must ~~shall~~ include the Florida Nonprofit Multiple-  
 1669 Employer Welfare Arrangement Act and the Employee Retirement  
 1670 Income Security Act, 29 U.S.C. ss. 1001 et seq., as it relates  
 1671 to the provision of health insurance by employers and the  
 1672 regulation thereof.

1673 (6) This section does not apply to an individual holding  
 1674 only a limited license for travel insurance, motor vehicle  
 1675 rental insurance, credit insurance, in-transit and storage  
 1676 personal property insurance, or portable electronics insurance.

1677 Section 26. Section 626.8411, Florida Statutes, is amended  
 1678 to read:

1679 626.8411 Application of Florida Insurance Code provisions  
 1680 to title insurance agents or agencies.—

1681 (1) The following provisions of part II, ~~as~~ applicable to  
 1682 general lines agents or agencies, ~~also~~ apply to title insurance

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1683 agents or agencies:

1684 (a) Section 626.734, relating to liability of certain  
1685 agents.

1686 ~~(b) Section 626.175, relating to temporary licenses.~~

1687 (b) ~~(e)~~ Section 626.747, relating to branch agencies.

1688 (c) Section 626.749, relating to place of business in  
1689 residence.

1690 (d) Section 626.753, relating to sharing of commissions.

1691 (e) Section 626.754, relating to rights of agent following  
1692 termination of appointment.

1693 (2) The following provisions of part I do not apply to  
1694 title insurance agents or title insurance agencies:

1695 (a) Section 626.112(7), relating to licensing of insurance  
1696 agencies.

1697 (b) Section 626.231, relating to eligibility for  
1698 examination.

1699 (c) Section 626.572, relating to rebating, when allowed.

1700 (d) Section 626.172, relating to agent in full-time charge.

1701 Section 27. Section 626.8418, Florida Statutes, is amended  
1702 to read:

1703 626.8418 Application for title insurance agency license.—

1704 Before ~~Prior to~~ doing business in this state as a title  
1705 insurance agency, the ~~a title insurance agency~~ must ~~meet all of~~  
1706 ~~the following requirements:~~

1707 ~~(1) The applicant must~~ file with the department an  
1708 application for a license as a title insurance agency, on  
1709 ~~printed~~ forms furnished by the department, which include ~~that~~  
1710 ~~includes~~ all of the following:

1711 (1) ~~(a)~~ The name of each majority owner, partner, officer,

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1712 and director of the agency.

1713 (2)~~(b)~~ The residence address of each person required to be  
1714 listed under subsection (1) paragraph (a).

1715 (3)~~(e)~~ The name of the agency and its principal business  
1716 address.

1717 (4)~~(d)~~ The location of each agency office and the name  
1718 under which each ~~agency~~ office conducts or will conduct  
1719 business.

1720 (5)~~(e)~~ The name of each agent to be in full-time charge of  
1721 an agency office and the identification specification of such  
1722 ~~which~~ office.

1723 (6)~~(f)~~ Such additional information as the department  
1724 requires by rule to ascertain the trustworthiness and competence  
1725 of persons required to be listed on the application and to  
1726 ascertain that such persons meet the requirements of this code.

1727 ~~(2) The applicant must have deposited with the department~~  
1728 ~~securities of the type eligible for deposit under s. 625.52 and~~  
1729 ~~having at all times a market value of not less than \$35,000. In~~  
1730 ~~place of such deposit, the title insurance agency may post a~~  
1731 ~~surety bond of like amount payable to the department for the~~  
1732 ~~benefit of any appointing insurer damaged by a violation by the~~  
1733 ~~title insurance agency of its contract with the appointing~~  
1734 ~~insurer. If a properly documented claim is timely filed with the~~  
1735 ~~department by a damaged title insurer, the department may remit~~  
1736 ~~an appropriate amount of the deposit or the proceeds that are~~  
1737 ~~received from the surety in payment of the claim. The required~~  
1738 ~~deposit or bond must be made by the title insurance agency, and~~  
1739 ~~a title insurer may not provide the deposit or bond directly or~~  
1740 ~~indirectly on behalf of the title insurance agency. The deposit~~

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1741 ~~or bond must secure the performance by the title insurance~~  
1742 ~~agency of its duties and responsibilities under the issuing~~  
1743 ~~agency contracts with each title insurer for which it is~~  
1744 ~~appointed. The agency may exchange or substitute other~~  
1745 ~~securities of like quality and value for securities on deposit,~~  
1746 ~~may receive the interest and other income accruing on such~~  
1747 ~~securities, and may inspect the deposit at all reasonable times.~~  
1748 ~~Such deposit or bond must remain unimpaired as long as the title~~  
1749 ~~insurance agency continues in business in this state and until 1~~  
1750 ~~year after termination of all title insurance agency~~  
1751 ~~appointments held by the title insurance agency. The title~~  
1752 ~~insurance agency is entitled to the return of the deposit or~~  
1753 ~~bond together with accrued interest after such year has passed,~~  
1754 ~~if no claim has been made against the deposit or bond. If a~~  
1755 ~~surety bond is unavailable generally, the department may adopt~~  
1756 ~~rules for alternative methods to comply with this subsection.~~  
1757 ~~With respect to such alternative methods for compliance, the~~  
1758 ~~department must be guided by the past business performance and~~  
1759 ~~good reputation and character of the proposed title insurance~~  
1760 ~~agency. A surety bond is deemed to be unavailable generally if~~  
1761 ~~the prevailing annual premium exceeds 25 percent of the~~  
1762 ~~principal amount of the bond.~~

1763 Section 28. Section 626.8548, Florida Statutes, is created  
1764 to read:

1765 626.8548 "All-lines adjuster" defined.—An "all-lines  
1766 adjuster" is a person who is self-employed or employed by an  
1767 insurer, a wholly owned subsidiary of an insurer, or an  
1768 independent adjusting firm or other independent adjuster, and  
1769 who undertakes on behalf of an insurer or other insurers under

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1770 common control or ownership to ascertain and determine the  
1771 amount of any claim, loss, or damage payable under an insurance  
1772 contract or undertakes to effect settlement of such claim, loss,  
1773 or damage. The term does not apply to life insurance or annuity  
1774 contracts.

1775 Section 29. Section 626.855, Florida Statutes, is amended  
1776 to read:

1777 626.855 "Independent adjuster" defined.—An "independent  
1778 adjuster" means a ~~is any~~ person licensed as an all-lines  
1779 adjuster who is self-appointed ~~self-employed~~ or appointed and is  
1780 ~~associated with or~~ employed by an independent adjusting firm or  
1781 other independent adjuster, and who undertakes on behalf of an  
1782 insurer to ascertain and determine the amount of any claim,  
1783 loss, or damage payable under an insurance contract or  
1784 undertakes to effect settlement of such claim, loss, or damage.

1785 Section 30. Section 626.856, Florida Statutes, is amended  
1786 to read:

1787 626.856 "Company employee adjuster" defined.—A "company  
1788 employee adjuster" means ~~is~~ a person licensed as an all-lines  
1789 adjuster who is appointed and employed on an insurer's staff of  
1790 adjusters or a wholly owned subsidiary of the insurer, and who  
1791 undertakes on behalf of such insurer or other insurers under  
1792 common control or ownership to ascertain and determine the  
1793 amount of any claim, loss, or damage payable under a contract of  
1794 insurance, or undertakes to effect settlement of such claim,  
1795 loss, or damage.

1796 Section 31. Section 626.858, Florida Statutes, is repealed.

1797 Section 32. Section 626.8584, Florida Statutes, is amended  
1798 to read:

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1799           626.8584 "Nonresident all-lines independent adjuster"  
1800 defined.—A "nonresident all-lines independent adjuster" means ~~is~~  
1801 a person who:

1802           (1) Is not a resident of this state;

1803           (2) Is ~~a~~ currently licensed as an independent adjuster in  
1804 his or her state of residence for all lines of insurance except  
1805 life and annuities ~~the type or kinds of insurance for which the~~  
1806 ~~licensee intends to adjust claims in this state or, if a~~  
1807 resident of a state that does not license such independent  
1808 adjusters, meets the qualifications ~~has passed the department's~~  
1809 ~~adjuster examination as prescribed in s. 626.8734(1)(b); and~~

1810           (3) Is licensed as an all-lines adjuster and self-appointed  
1811 or appointed and a self-employed independent adjuster or  
1812 ~~associated with or~~ employed by an independent adjusting firm or  
1813 other independent adjuster, by an insurer admitted to do  
1814 business in this state or a wholly-owned subsidiary of an  
1815 insurer admitted to do business in this state, or by other  
1816 insurers under the common control or ownership of such insurer.

1817           Section 33. Section 626.863, Florida Statutes, is amended  
1818 to read:

1819           626.863 Claims referrals to Licensed independent adjusters  
1820 ~~required; insurers' responsibility.—~~

1821           (1) An insurer may ~~shall~~ not knowingly refer any claim or  
1822 loss for adjustment in this state to any person purporting to be  
1823 or acting as an independent adjuster unless the person is  
1824 currently licensed as an all-lines adjuster and appointed as an  
1825 independent adjuster under this code.

1826           (2) Before referring any claim or loss, the insurer shall  
1827 ascertain from the department whether the proposed independent

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1828 adjuster is currently licensed as an all-lines adjuster and  
1829 appointed as an independent adjuster ~~such~~. Having ~~once~~  
1830 ascertained that a particular person is so licensed and  
1831 appointed, the insurer may assume that he or she will continue  
1832 to be so licensed and appointed until the insurer has knowledge,  
1833 or receives information from the department, to the contrary.

1834 (3) This section does not apply to catastrophe or emergency  
1835 adjusters as provided ~~for~~ in this part.

1836 Section 34. Section 626.864, Florida Statutes, is amended  
1837 to read:

1838 626.864 Adjuster license types.—

1839 (1) A qualified individual may be licensed ~~and appointed~~ as  
1840 either:

1841 (a) A public adjuster; or

1842 (b) An all-lines independent adjuster; ~~or~~

1843 ~~(c) A company employee adjuster.~~

1844 (2) The same individual ~~may shall~~ not be concurrently  
1845 licensed appointed as a public adjuster and an all-lines  
1846 adjuster ~~to more than one of the adjuster types referred to in~~  
1847 ~~subsection (1).~~

1848 (3) An all-lines adjuster may be appointed as an  
1849 independent adjuster or company employee adjuster, but not both  
1850 concurrently.

1851 Section 35. Paragraph (e) is added to subsection (1) of  
1852 section 626.865, Florida Statutes, to read:

1853 626.865 Public adjuster's qualifications, bond.—

1854 (1) The department shall issue a license to an applicant  
1855 for a public adjuster's license upon determining that the  
1856 applicant has paid the applicable fees specified in s. 624.501



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1857 and possesses the following qualifications:

1858 (e) Is licensed as a public adjuster apprentice under s.  
 1859 626.8651 and complies with the requirements of that license  
 1860 throughout the licensure period.

1861 Section 36. Section 626.866, Florida Statutes, is amended  
 1862 to read:

1863 626.866 All-lines adjuster ~~Independent adjuster's~~  
 1864 qualifications.—The department shall issue ~~a license to an~~  
 1865 ~~applicant for an~~ all-lines adjuster ~~independent adjuster's~~  
 1866 license to an applicant upon determining that the applicable  
 1867 license fee specified in s. 624.501 has been paid and that the  
 1868 applicant possesses the following qualifications:

1869 (1) Is a natural person at least 18 years of age.

1870 (2) Is a United States citizen or legal alien who possesses  
 1871 work authorization from the United States Bureau of Citizenship  
 1872 and Immigration Services and a bona fide resident of this state.

1873 (3) Is trustworthy and has such business reputation as  
 1874 would reasonably assure that the applicant will conduct his or  
 1875 her business as insurance adjuster fairly and in good faith and  
 1876 without detriment to the public.

1877 (4) Has had sufficient experience, training, or instruction  
 1878 concerning the adjusting of damage or loss under insurance  
 1879 contracts, other than life and annuity contracts, is  
 1880 sufficiently informed as to the terms and the effects of the  
 1881 provisions of such types of contracts, and possesses adequate  
 1882 knowledge of the insurance laws of this state relating to such  
 1883 contracts as to enable and qualify him or her to engage in the  
 1884 business of insurance adjuster fairly and without injury to the  
 1885 public or any member thereof with whom he or she may have

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1886 relations as an insurance adjuster and to adjust all claims in  
1887 accordance with the policy or contract and the insurance laws of  
1888 this state.

1889 (5) Has passed any required written examination or has met  
1890 one of the exemptions prescribed under s. 626.221.

1891 Section 37. Section 626.867, Florida Statutes, is repealed.

1892 Section 38. Section 626.869, Florida Statutes, is amended  
1893 to read:

1894 626.869 License, adjusters; continuing education.—

1895 (1) Having An applicant for a license as an all-lines  
1896 adjuster qualifies the licensee to adjust ~~may qualify and his or~~  
1897 ~~her license when issued may cover adjusting in any one of the~~  
1898 ~~following classes of insurance:~~

1899 ~~(a) all lines of insurance except life and annuities.~~

1900 ~~(b) Motor vehicle physical damage insurance.~~

1901 ~~(c) Property and casualty insurance.~~

1902 ~~(d) Workers' compensation insurance.~~

1903 ~~(e) Health insurance.~~

1904  
1905 ~~No examination on workers' compensation insurance or health~~  
1906 ~~insurance shall be required for public adjusters.~~

1907 (2) All individuals who on October 1, 1990, hold an  
1908 adjuster's license and appointment limited to fire and allied  
1909 lines, including marine or casualty or boiler and machinery, may  
1910 remain licensed and appointed under the limited license and may  
1911 renew their appointment, but a ~~ne~~ license or appointment that  
1912 ~~which~~ has been terminated, not renewed, suspended, or revoked  
1913 may not shall be reinstated, and ~~ne~~ new or additional licenses  
1914 or appointments may not shall be issued.

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1915           (3) All individuals who on October 1, 2012, hold an  
1916 adjuster's license and appointment limited to motor vehicle  
1917 physical damage and mechanical breakdown, property and casualty,  
1918 workers' compensation, or health insurance may remain licensed  
1919 and appointed under such limited license and may renew their  
1920 appointment, but a license that has been terminated, suspended,  
1921 or revoked may not be reinstated, and new or additional licenses  
1922 may not be issued. The applicant's application for license shall  
1923 specify which of the foregoing classes of business the  
1924 application for license is to cover.

1925           (4)(a) An Any individual holding a license as a public  
1926 adjuster or an all-lines a company employee adjuster must  
1927 complete all continuing education requirements as specified in  
1928 s. 626.2815. or independent adjuster for 24 consecutive months  
1929 or longer must, beginning in his or her birth month and every 2  
1930 years thereafter, have completed 24 hours of courses, 2 hours of  
1931 which relate to ethics, in subjects designed to inform the  
1932 licensee regarding the current insurance laws of this state, so  
1933 as to enable him or her to engage in business as an insurance  
1934 adjuster fairly and without injury to the public and to adjust  
1935 all claims in accordance with the policy or contract and the  
1936 laws of this state.

1937           (b) Any individual holding a license as a public adjuster  
1938 for 24 consecutive months or longer, beginning in his or her  
1939 birth month and every 2 years thereafter, must have completed 24  
1940 hours of courses, 2 hours of which relate to ethics, in subjects  
1941 designed to inform the licensee regarding the current laws of  
1942 this state pertaining to all lines of insurance other than life  
1943 and annuities, the current laws of this state pertaining to the

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1944 ~~duties and responsibilities of public adjusters as set forth in~~  
1945 ~~this part, and the current rules of the department applicable to~~  
1946 ~~public adjusters and standard or representative policy forms~~  
1947 ~~used by insurers, other than forms for life insurance and~~  
1948 ~~annuities, so as to enable him or her to engage in business as~~  
1949 ~~an adjuster fairly and without injury to the public and to~~  
1950 ~~adjust all claims in accordance with the policy or contract and~~  
1951 ~~laws of this state. In order to receive credit for continuing~~  
1952 ~~education courses, public adjusters must take courses that are~~  
1953 ~~specifically designed for public adjusters and approved by the~~  
1954 ~~department, provided, however, no continuing education course~~  
1955 ~~shall be required for public adjusters for workers' compensation~~  
1956 ~~insurance or health insurance.~~

1957 ~~(c) The department shall adopt rules necessary to implement~~  
1958 ~~and administer the continuing education requirements of this~~  
1959 ~~subsection. For good cause shown, the department may grant an~~  
1960 ~~extension of time during which the requirements imposed by this~~  
1961 ~~section may be completed, but such extension of time may not~~  
1962 ~~exceed 1 year.~~

1963 ~~(d) A nonresident public adjuster must complete the~~  
1964 ~~continuing education requirements provided by this section;~~  
1965 ~~provided, a nonresident public adjuster may meet the~~  
1966 ~~requirements of this section if the continuing education~~  
1967 ~~requirements of the nonresident public adjuster's home state are~~  
1968 ~~determined to be substantially comparable to the requirements of~~  
1969 ~~this state's continuing education requirements and if the~~  
1970 ~~resident's state recognizes reciprocity with this state's~~  
1971 ~~continuing education requirements. A nonresident public adjuster~~  
1972 ~~whose home state does not have such continuing education~~

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1973 ~~requirements for adjusters, and who is not licensed as a~~  
1974 ~~nonresident adjuster in a state that has continuing education~~  
1975 ~~requirements and reciprocates with this state, must meet the~~  
1976 ~~continuing education requirements of this section.~~

1977 (5) The regulation of continuing education for licensees,  
1978 course providers, instructors, school officials, and monitor  
1979 groups shall be as provided ~~for~~ in s. 626.2816.

1980 Section 39. Paragraph (c) of subsection (2) of section  
1981 626.8697, Florida Statutes, is amended to read:

1982 626.8697 Grounds for refusal, suspension, or revocation of  
1983 adjusting firm license.—

1984 (2) The department may, in its discretion, deny, suspend,  
1985 revoke, or refuse to continue the license of any adjusting firm  
1986 if it finds that any of the following applicable grounds exist  
1987 with respect to the firm or any owner, partner, manager,  
1988 director, officer, or other person who is otherwise involved in  
1989 the operation of the firm:

1990 (c) Violation of an ~~any~~ order or rule of the department,  
1991 office, or commission.

1992 Section 40. Subsections (1) and (5) of section 626.872,  
1993 Florida Statutes, are amended to read:

1994 626.872 Temporary license.—

1995 (1) The department may, ~~in its discretion,~~ issue a  
1996 temporary license as an all-lines independent adjuster ~~or as a~~  
1997 ~~company employee adjuster,~~ subject to the following conditions:

1998 (a) The applicant must be an employee of an adjuster  
1999 currently licensed by the department, ~~an employee of an~~  
2000 authorized insurer, or ~~an employee of an~~ established adjusting  
2001 firm or corporation who ~~which~~ is supervised by a currently

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2002 licensed all-lines independent adjuster.

2003 ~~(b) The application must be accompanied by a certificate of~~  
2004 ~~employment and a report as to the applicant's integrity and~~  
2005 ~~moral character on a form prescribed by the department and~~  
2006 ~~executed by the employer.~~

2007 (b) ~~(e)~~ The applicant must be a natural person of at least  
2008 18 years of age, ~~must be~~ a bona fide resident of this state,  
2009 ~~must be~~ trustworthy, and ~~must~~ have a ~~such~~ business reputation  
2010 that ~~as~~ would reasonably ensure ~~assure~~ that the applicant will  
2011 conduct his or her business as an adjuster fairly and in good  
2012 faith and without detriment to the public.

2013 (c) ~~(d)~~ The applicant's employer is responsible for the  
2014 adjustment acts of the temporary ~~any~~ licensee ~~under this~~  
2015 ~~section.~~

2016 (d) ~~(e)~~ The applicable license fee ~~specified~~ must be paid  
2017 before issuance of the temporary license.

2018 (e) ~~(f)~~ The temporary license is ~~shall be~~ effective for a  
2019 ~~period of~~ 1 year, but is subject to earlier termination at the  
2020 request of the employer, ~~or~~ if the licensee fails to take an  
2021 examination as an all-lines independent adjuster ~~or company~~  
2022 ~~employee adjuster~~ within 6 months after issuance of the  
2023 temporary license, or if the temporary license is suspended or  
2024 revoked by the department.

2025 (5) The department may ~~shall~~ not issue a temporary license  
2026 as an all-lines independent adjuster ~~or as a company employee~~  
2027 ~~adjuster~~ to an ~~any~~ individual who has ~~ever~~ held such a license  
2028 in this state.

2029 Section 41. Section 626.873, Florida Statutes, is repealed.

2030 Section 42. Section 626.8734, Florida Statutes, is amended

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2031 to read:

2032 626.8734 Nonresident all-lines adjuster license ~~independent~~  
2033 ~~adjuster's~~ qualifications.-

2034 (1) The department shall, ~~upon application therefor,~~ issue  
2035 a license to an applicant for a nonresident all-lines adjuster  
2036 ~~independent adjuster's~~ license upon determining that the  
2037 applicant has paid the applicable license fees required under s.  
2038 624.501 and:

2039 (a) Is a natural person at least 18 years of age.

2040 (b) Has passed to the satisfaction of the department a  
2041 written Florida all-lines adjuster ~~independent adjuster's~~  
2042 examination of the scope prescribed in s. 626.241(6); however,  
2043 the requirement for the examination does not apply to ~~any of the~~  
2044 ~~following~~:

2045 1. An applicant who is licensed as an all-lines ~~a resident~~  
2046 ~~independent~~ adjuster in his or her home state if of residence  
2047 ~~when that state has entered into~~ requires the passing of a  
2048 ~~written examination in order to obtain the license and a~~  
2049 reciprocal agreement with the ~~appropriate official of that state~~  
2050 ~~has been entered into by the~~ department; or

2051 2. An applicant who is licensed as a nonresident all-lines  
2052 ~~independent~~ adjuster in a state other than his or her home state  
2053 ~~of residence when the state of licensure requires the passing of~~  
2054 ~~a written examination in order to obtain the license and a~~  
2055 reciprocal agreement with the appropriate official of the state  
2056 of licensure has been entered into with ~~by~~ the department.

2057 (c) Is licensed as an all-lines adjuster and is self-  
2058 appointed, or appointed and employed by an independent adjusting  
2059 firm or other independent adjuster, or is an employee of an

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2060 insurer admitted to do business in this state, a wholly owned  
2061 subsidiary of an insurer admitted to business in this state, or  
2062 other insurers under the common control or ownership of such  
2063 insurers ~~self-employed or associated with or employed by an~~  
2064 ~~independent adjusting firm or other independent adjuster.~~  
2065 Applicants licensed as nonresident all-lines independent  
2066 adjusters under this section must be appointed as an independent  
2067 adjuster or company employee adjuster ~~such~~ in accordance with  
2068 ~~the provisions of~~ ss. 626.112 and 626.451. Appointment fees as  
2069 ~~in the amount~~ specified in s. 624.501 must be paid to the  
2070 department in advance. The appointment of a nonresident  
2071 independent adjuster continues ~~shall continue~~ in force until  
2072 suspended, revoked, or otherwise terminated, but is subject to  
2073 biennial renewal or continuation by the licensee in accordance  
2074 with ~~procedures prescribed in~~ s. 626.381 for licensees in  
2075 general.

2076 (d) Is trustworthy and has such business reputation as  
2077 would reasonably ensure ~~assure~~ that he or she will conduct his  
2078 or her business as a nonresident all-lines independent adjuster  
2079 fairly and in good faith and without detriment to the public.

2080 (e) Has had sufficient experience, training, or instruction  
2081 concerning the adjusting of damages or losses under insurance  
2082 contracts, other than life and annuity contracts; is  
2083 sufficiently informed as to the terms and effects of ~~the~~  
2084 ~~provisions of~~ those types of insurance contracts; and possesses  
2085 adequate knowledge of the laws of this state relating to such  
2086 contracts as to enable and qualify him or her to engage in the  
2087 business of insurance adjuster fairly and without injury to the  
2088 public or any member thereof with whom he or she may have



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2089 business as an all-lines ~~independent~~ adjuster.

2090 (2) The applicant must ~~shall~~ furnish the following with his  
2091 or her application:

2092 (a) A complete set of his or her fingerprints. The  
2093 applicant's fingerprints must be certified by an authorized law  
2094 enforcement officer.

2095 (b) If currently licensed as an all-lines ~~a resident~~  
2096 ~~independent~~ adjuster in the applicant's home state ~~of residence~~,  
2097 a certificate or letter of authorization from the licensing  
2098 authority of the applicant's home state ~~of residence~~, stating  
2099 that the applicant holds a current license to act as an all-  
2100 lines independent adjuster. The ~~Such~~ certificate or letter of  
2101 authorization must be signed by the insurance commissioner, or  
2102 his or her deputy or the appropriate licensing official, and  
2103 must disclose whether the adjuster has ever had a ~~any~~ license or  
2104 eligibility to hold any license declined, denied, suspended,  
2105 revoked, or placed on probation or whether an administrative  
2106 fine or penalty has been levied against the adjuster and, if so,  
2107 the reason for the action. Such certificate or letter is not  
2108 required if the nonresident applicant's licensing status can be  
2109 verified through the Producer Database maintained by the  
2110 National Association of Insurance Commissioners, its affiliates,  
2111 or subsidiaries.

2112 (c) If the applicant's home state ~~of residence~~ does not  
2113 require licensure as an all-lines ~~independent~~ adjuster and the  
2114 applicant has been licensed as a resident insurance adjuster,  
2115 agent, broker, or other insurance representative in his or her  
2116 home state ~~of residence~~ or any other state within the past 3  
2117 years, a certificate or letter of authorization from the

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2118 licensing authority stating that the applicant holds or has held  
2119 a license to act as an insurance adjuster, agent, or other  
2120 insurance representative. The certificate or letter of  
2121 authorization must be signed by the insurance commissioner, or  
2122 his or her deputy or the appropriate licensing official, and  
2123 must disclose whether the adjuster, agent, or other insurance  
2124 representative has ever had a ~~any~~ license or eligibility to hold  
2125 any license declined, denied, suspended, revoked, or placed on  
2126 probation or whether an administrative fine or penalty has been  
2127 levied against the adjuster and, if so, the reason for the  
2128 action. Such certificate or letter is not required if the  
2129 nonresident applicant's licensing status can be verified through  
2130 the Producer Database maintained by the National Association of  
2131 Insurance Commissioners, its affiliates, or subsidiaries.

2132 (3) The usual and customary records pertaining to  
2133 transactions under the license of a nonresident all-lines  
2134 ~~independent~~ adjuster must be retained for at least 3 years after  
2135 completion of the adjustment and ~~must~~ be made available in this  
2136 state to the department upon request. The failure of a  
2137 nonresident all-lines ~~independent~~ adjuster to properly maintain  
2138 records and make them available to the department upon request  
2139 constitutes grounds for the immediate suspension of the license  
2140 issued under this section.

2141 (4) ~~After licensure as a nonresident independent adjuster,~~  
2142 As a condition of doing business in this state as a nonresident  
2143 independent adjuster, the appointee must ~~licensee must~~ annually  
2144 ~~on or before January 1, on a form prescribed by the department,~~  
2145 submit an affidavit to the department certifying that the  
2146 licensee is familiar with and understands the insurance laws and

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2147 administrative rules of this state and the provisions of the  
2148 contracts negotiated or to be negotiated. Compliance with this  
2149 filing requirement is a condition precedent to the issuance,  
2150 continuation, reinstatement, or renewal of a nonresident  
2151 independent adjuster's appointment.

2152 Section 43. Section 626.8736, Florida Statutes, is amended  
2153 to read:

2154 626.8736 Nonresident independent or public adjusters;  
2155 service of process.—

2156 (1) Each licensed nonresident ~~independent or~~ public  
2157 adjuster or all-lines adjuster appointed as an independent  
2158 adjuster shall appoint the Chief Financial Officer and his or  
2159 her successors in office as his or her attorney to receive  
2160 service of legal process issued against such ~~the nonresident~~  
2161 ~~independent or public~~ adjuster in this state, upon causes of  
2162 action arising within this state out of transactions under his  
2163 license and appointment. Service upon the Chief Financial  
2164 Officer as attorney constitutes ~~shall constitute~~ effective legal  
2165 service upon the nonresident independent or public adjuster.

2166 (2) The appointment of the Chief Financial Officer for  
2167 service of process is ~~shall be~~ irrevocable ~~for~~ as long as there  
2168 could be any cause of action against the nonresident ~~independent~~  
2169 ~~or~~ public adjuster or all-lines adjuster appointed as an  
2170 independent adjuster arising out of his or her insurance  
2171 transactions in this state.

2172 (3) Duplicate copies of legal process against the  
2173 nonresident ~~independent or~~ public adjuster or all-lines adjuster  
2174 appointed as an independent adjuster shall be served upon the  
2175 Chief Financial Officer by a person competent to serve a

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2176 summons.

2177 (4) Upon receiving the service, the Chief Financial Officer  
2178 shall ~~forthwith~~ send one of the copies of the process, by  
2179 registered mail with return receipt requested, to the defendant  
2180 nonresident ~~independent or~~ public adjuster or all-lines adjuster  
2181 appointed as an independent adjuster at his or her last address  
2182 of record with the department.

2183 (5) The Chief Financial Officer shall keep a record of the  
2184 day and hour of service upon him or her of all legal process  
2185 received under this section.

2186 Section 44. Subsection (1) of section 626.874, Florida  
2187 Statutes, is amended to read:

2188 626.874 Catastrophe or emergency adjusters.—

2189 (1) In the event of a catastrophe or emergency, the  
2190 department may issue a license, for the purposes and under the  
2191 conditions ~~which it shall fix~~ and for the period of emergency as  
2192 it shall determine, to persons who are residents or nonresidents  
2193 of this state, who are at least 18 years of age, who are United  
2194 States citizens or legal aliens who possess work authorization  
2195 from the United States Bureau of Citizenship and Immigration  
2196 Services, and who are not licensed adjusters under this part but  
2197 who have been designated and certified to it as qualified to act  
2198 as adjusters by all-lines independent resident adjusters, ~~or~~ by  
2199 an authorized insurer, or by a licensed general lines agent to  
2200 adjust claims, losses, or damages under policies or contracts of  
2201 insurance issued by such insurers. The fee for the license is  
2202 ~~shall be~~ as provided in s. 624.501(12)(c).

2203 Section 45. Subsection (1) of section 626.875, Florida  
2204 Statutes, is amended to read:

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2205 626.875 Office and records.—

2206 (1) Each appointed ~~Every licensed~~ independent adjuster and  
2207 ~~every~~ licensed public adjuster must ~~shall have and~~ maintain ~~in~~  
2208 ~~this state~~ a place of business in this state which is accessible  
2209 to the public and keep therein the usual and customary records  
2210 pertaining to transactions under the license. This provision  
2211 does ~~shall not be deemed to~~ prohibit maintenance of such an  
2212 office in the home of the licensee.

2213 Section 46. Section 626.876, Florida Statutes, is amended  
2214 to read:

2215 626.876 Exclusive employment; public adjusters, independent  
2216 adjusters.—

2217 (1) An ~~No~~ individual licensed and appointed as a public  
2218 adjuster may not ~~shall~~ be ~~so~~ employed during the same period by  
2219 more than one public adjuster or public adjuster firm or  
2220 corporation.

2221 (2) An ~~No~~ individual licensed as an all-lines adjuster and  
2222 appointed as an independent adjuster may not ~~shall~~ be ~~so~~  
2223 employed during the same period by more than one independent  
2224 adjuster or independent adjuster firm or corporation.

2225 Section 47. Subsections (5), (6), and (7) of section  
2226 626.927, Florida Statutes, are amended to read:

2227 626.927 Licensing of surplus lines agent.—

2228 ~~(5) The applicant must file and thereafter maintain the~~  
2229 ~~bond as required under s. 626.928.~~

2230 (5) ~~(6)~~ Examinations as to surplus lines, as required under  
2231 subsections (1) and (2), are ~~shall be~~ subject to the provisions  
2232 of part I as applicable to applicants for licenses in general.  
2233 ~~No such examination shall be required as to persons who held a~~

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2234 ~~Florida surplus lines agent's license as of January 1, 1959,~~  
 2235 ~~except when examinations subsequent to issuance of an initial~~  
 2236 ~~license are provided for in general under part I.~~

2237 ~~(6)-(7) An~~ Any individual who has been licensed by the  
 2238 department as a surplus lines agent as provided in this section  
 2239 may be subsequently appointed without additional written  
 2240 examination if his or her application for appointment is filed  
 2241 with the department within 48 months after ~~next following~~ the  
 2242 date of cancellation or expiration of the prior appointment. The  
 2243 department may, ~~in its discretion,~~ require an ~~any~~ individual to  
 2244 take and successfully pass an examination as for original  
 2245 issuance of license as a condition precedent to the  
 2246 reinstatement or continuation of the licensee's current license  
 2247 or reinstatement or continuation of the licensee's appointment.

2248 Section 48. Section 626.928, Florida Statutes, is repealed.

2249 Section 49. Section 626.933, Florida Statutes, is amended  
 2250 to read:

2251 626.933 Collection of tax and service fee.—If the tax or  
 2252 service fee payable by a surplus lines agent under the ~~this~~  
 2253 Surplus Lines Law is not so paid within the time prescribed, it  
 2254 ~~the same~~ shall be recoverable in a suit brought by the  
 2255 department against the surplus lines agent ~~and the surety or~~  
 2256 ~~sureties on the bond filed by the surplus lines agent under s.~~  
 2257 ~~626.928~~. The department may authorize the Florida Surplus Lines  
 2258 Service Office to file suit on its behalf. All costs and  
 2259 expenses incurred in a suit brought by the office which are not  
 2260 recoverable from the agent or surety shall be borne by the  
 2261 office.

2262 Section 50. Subsection (1) of section 626.935, Florida

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2263 Statutes, is amended to read:

2264       626.935 Suspension, revocation, or refusal of surplus lines  
2265 agent's license.—

2266       (1) The department shall deny an application for, suspend,  
2267 revoke, or refuse to renew the appointment of a surplus lines  
2268 agent and all other licenses and appointments held by the  
2269 licensee under this code, on ~~upon~~ any of the following grounds:

2270       (a) Removal of the licensee's office from the licensee's  
2271 state of residence.

2272       (b) Removal of the accounts and records of his or her  
2273 surplus lines business from this state or the licensee's state  
2274 of residence during the period when such accounts and records  
2275 are required to be maintained under s. 626.930.

2276       (c) Closure of the licensee's office for ~~a period of~~ more  
2277 than 30 consecutive days.

2278       (d) Failure to make and file his or her affidavit or  
2279 reports when due as required by s. 626.931.

2280       (e) Failure to pay the tax or service fee on surplus lines  
2281 premiums, as provided ~~for~~ in the ~~this~~ Surplus Lines Law.

2282       ~~(f) Failure to maintain the bond as required by s. 626.928.~~

2283       (f) ~~(g)~~ Suspension, revocation, or refusal to renew or  
2284 continue the license or appointment as a general lines agent,  
2285 service representative, or managing general agent.

2286       (g) ~~(h)~~ Lack of qualifications as for an original surplus  
2287 lines agent's license.

2288       (h) ~~(i)~~ Violation of this Surplus Lines Law.

2289       (i) ~~(j)~~ For any other applicable cause for which the license  
2290 of a general lines agent could be suspended, revoked, or refused  
2291 under s. 626.611 or s. 626.621.

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2292 Section 51. Paragraph (b) of subsection (1) of section  
2293 627.952, Florida Statutes, is amended to read:

2294 627.952 Risk retention and purchasing group agents.—

2295 (1) Any person offering, soliciting, selling, purchasing,  
2296 administering, or otherwise servicing insurance contracts,  
2297 certificates, or agreements for any purchasing group or risk  
2298 retention group to any resident of this state, either directly  
2299 or indirectly, by the use of mail, advertising, or other means  
2300 of communication, shall obtain a license and appointment to act  
2301 as a resident general lines agent, if a resident of this state,  
2302 or a nonresident general lines agent if not a resident. Any such  
2303 person shall be subject to all requirements of the Florida  
2304 Insurance Code.

2305 (b) Any person required to be licensed and appointed under  
2306 ~~by~~ this subsection, in order to place business through Florida  
2307 eligible surplus lines carriers, must ~~shall~~, if a resident of  
2308 this state, be licensed and appointed as a surplus lines agent.  
2309 ~~Any such person,~~ If not a resident of this state, such person  
2310 must ~~shall~~ be licensed and appointed as a surplus lines agent in  
2311 her or his state of residence and ~~shall~~ file and ~~thereafter~~  
2312 maintain a fidelity bond in favor of the people of the State of  
2313 Florida executed by a surety company admitted in this state and  
2314 payable to the State of Florida; ~~provided,~~ however, ~~any~~  
2315 ~~activities carried out by~~ such nonresident is ~~pursuant to this~~  
2316 ~~part shall be~~ limited to the provision of insurance for  
2317 purchasing groups. The bond must ~~shall~~ be continuous in form and  
2318 ~~maintained~~ in the amount of not less than \$50,000, aggregate  
2319 liability ~~set out in s. 626.928.~~ The bond must ~~shall~~ remain in  
2320 force and effect until the surety is released from liability by



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2321 the department or until the bond is canceled by the surety. The  
2322 surety may cancel the bond and be released from further  
2323 liability ~~thereunder~~ upon 30 days' prior written notice to the  
2324 department. The cancellation does ~~shall~~ not affect any liability  
2325 incurred or accrued ~~thereunder~~ before the termination of the 30-  
2326 day period. Upon receipt of a notice of cancellation, the  
2327 department shall immediately notify the agent.

2328 Section 52. Subsections (1) and (2) of section 635.051,  
2329 Florida Statutes, are amended to read:

2330 635.051 Licensing and appointment of mortgage guaranty  
2331 insurance agents.—

2332 (1) Effective October 1, 2012, a person may not transact  
2333 mortgage guaranty insurance unless licensed and appointed as a  
2334 credit insurance agent in accordance with the applicable  
2335 provisions of the insurance code. Mortgage guaranty licenses  
2336 held by persons on October 1, 2012, shall be transferred to a  
2337 credit insurance agent license. Persons who wish to obtain a new  
2338 license identification card that reflects this change must  
2339 submit the \$5 fee as prescribed in s. 624.501(15). ~~Agents of~~  
2340 ~~mortgage guaranty insurers shall be licensed and appointed and~~  
2341 ~~shall be subject to the same qualifications and requirements~~  
2342 ~~applicable to general lines agents under the laws of this state,~~  
2343 ~~except that:~~

2344 ~~(a) Particular preliminary specialized education or~~  
2345 ~~training is not required of an applicant for such an agent's~~  
2346 ~~license, and continuing education is not required for renewal of~~  
2347 ~~the agent's appointment if, as part of the application for~~  
2348 ~~license and appointment, the insurer guarantees that the~~  
2349 ~~applicant will receive the necessary training to enable him or~~

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2350 her properly to hold himself or herself out to the public as a  
2351 mortgage guaranty insurance agent and if the department, in its  
2352 discretion, accepts such guaranty;

2353 (b) The agent's license and appointment shall be a limited  
2354 license, limited to the handling of mortgage guaranty insurance  
2355 only; and

2356 (c) An examination may be required of an applicant for such  
2357 a license if the insurer fails to provide the guaranty described  
2358 in paragraph (a).

2359 (2) Any general lines agent licensed under chapter 626 is  
2360 qualified to represent a mortgage guaranty insurer without  
2361 additional licensure examination.

2362 Section 53. Subsection (1) of section 648.34, Florida  
2363 Statutes, is amended to read

2364 648.34 Bail bond agents; qualifications.—

2365 (1) An application for licensure as a bail bond agent must  
2366 be submitted on forms prescribed by the department. The  
2367 application must include the applicant's full name, date of  
2368 birth, social security number, residence address, business  
2369 address, mailing address, contact telephone numbers, including a  
2370 business telephone number and e-mail address.

2371 Section 54. Subsection (2) of section 648.38, Florida  
2372 Statutes, is amended to read:

2373 648.38 Licensure examination for bail bond agents; time;  
2374 place; fees; scope.—

2375 (2) The department or a person designated by the department  
2376 shall provide ~~mail-written~~ notice of the time and place of the  
2377 examination to each applicant for licensure required to take an  
2378 examination who will be eligible to take the examination as of

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2379 the examination date. The notice shall be e-mailed ~~so mailed,~~  
2380 ~~postage prepaid, and addressed~~ to the applicant at the e-mail  
2381 ~~his or her~~ address shown on his or her application for licensure  
2382 ~~or at such other address as requested by the applicant in~~  
2383 ~~writing filed with the department prior to the mailing of the~~  
2384 ~~notice.~~ Notice shall be deemed given when so mailed.

2385 Section 55. Section 648.385, Florida Statutes, is amended  
2386 to read:

2387 648.385 Continuing education required; application;  
2388 exceptions; requirements; penalties.—

2389 (1) The purpose of this section is to establish  
2390 requirements and standards for continuing education courses for  
2391 persons authorized to write bail bonds in this state.

2392 (2) ~~(a)~~ Each person subject to ~~the provisions of~~ this  
2393 chapter must complete a minimum of 14 hours of continuing  
2394 education courses every 2 years as specified in s. 626.2815 ~~in~~  
2395 ~~courses approved by the department. Compliance with continuing~~  
2396 ~~education requirements is a condition precedent to the issuance,~~  
2397 ~~continuation, or renewal of any appointment subject to the~~  
2398 ~~provisions of this chapter.~~

2399 ~~(b)~~ A person teaching any approved course of instruction or  
2400 lecturing at any approved seminar and attending the entire  
2401 course or seminar shall qualify for the same number of classroom  
2402 hours as would be granted to a person taking and successfully  
2403 completing such course, seminar, or program. Credit shall be  
2404 limited to the number of hours actually taught unless a person  
2405 attends the entire course or seminar.

2406 ~~(c)~~ For good cause shown, the department may grant an  
2407 extension of time during which the requirements imposed by this

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2408 ~~section may be completed, but such extension of time may not~~  
2409 ~~exceed 1 year.~~

2410 ~~(3) (a) Any bail-related course developed or sponsored by~~  
2411 ~~any authorized insurer or recognized bail bond agents'~~  
2412 ~~association, or any independent study program of instruction,~~  
2413 ~~subject to approval by the department, qualifies for the~~  
2414 ~~equivalency of the number of classroom hours assigned to such~~  
2415 ~~course by the department. However, unless otherwise provided in~~  
2416 ~~this section, continuing education credit may not be credited~~  
2417 ~~toward meeting the requirements of this section unless the~~  
2418 ~~course is provided by classroom instruction or results in a~~  
2419 ~~monitored examination.~~

2420 ~~(b) Each person or entity sponsoring a course for~~  
2421 ~~continuing education credit must furnish, within 30 days after~~  
2422 ~~completion of the course, in a form satisfactory to the~~  
2423 ~~department or its designee, a written and certified roster~~  
2424 ~~showing the name and license number of all persons successfully~~  
2425 ~~completing such course and requesting credit, accompanied by the~~  
2426 ~~required fee. The department shall refuse to issue, continue, or~~  
2427 ~~renew the appointment of any bail bond agent who has not had the~~  
2428 ~~continuing education requirements certified unless the agent has~~  
2429 ~~been granted an extension by the department.~~

2430 Section 56. Section 648.421, Florida Statutes, is amended  
2431 to read

2432 648.421 Notice of change of address or telephone number.—  
2433 Each licensee under this chapter must ~~shall~~ notify, in writing,  
2434 the department, insurer, managing general agent, and the clerk  
2435 of each court in which the licensee is registered within 10  
2436 working days after a change in the licensee's principal business

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2437 address or telephone number. The licensee must ~~shall~~ also notify  
2438 the department within 10 working days after a change of the  
2439 name, address, or telephone number of each agency or firm for  
2440 which he or she writes bonds and any change in the licensee's  
2441 name, home address, e-mail address, or telephone number.

2442 Section 57. Subsection (1) of section 903.27, Florida  
2443 Statutes, is amended to read:

2444 903.27 Forfeiture to judgment.—

2445 (1) If the forfeiture is not paid or discharged by court  
2446 ~~order of a court of competent jurisdiction~~ within 60 days and  
2447 the bond is secured other than by money and bonds authorized  
2448 under ~~in~~ s. 903.16, the clerk of the circuit court for the  
2449 county where the order was made shall enter a judgment against  
2450 the surety for the amount of the penalty and issue execution.  
2451 However, if ~~in any case in which~~ the bond forfeiture has been  
2452 discharged by the court ~~of competent jurisdiction~~ conditioned  
2453 upon the payment by the surety of certain costs or fees as  
2454 allowed by statute, the amount for which judgment may be entered  
2455 may not exceed the amount of the unpaid fees or costs upon which  
2456 the discharge had been conditioned. Judgment for the full amount  
2457 of the forfeiture may ~~shall~~ not be entered if payment of a  
2458 lesser amount will satisfy the conditions to discharge the  
2459 forfeiture. Within 10 days, the clerk shall furnish the  
2460 ~~Department of Financial Services and the Office of Insurance~~  
2461 ~~Regulation of the Financial Services Commission with a certified~~  
2462 ~~copy of the judgment docket and shall furnish the~~ surety company  
2463 ~~at its home office~~ a copy of the judgment at its home office,  
2464 which includes ~~shall include~~ the power of attorney number of the  
2465 bond and the name of the executing agent. If the judgment is not

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2466 paid within 60 ~~35~~ days, the clerk shall furnish ~~the Department~~  
2467 ~~of Financial Services,~~ the Office of Insurance Regulation, and  
2468 the sheriff of the county in which the bond was executed, or the  
2469 official responsible for operation of the county jail, if other  
2470 than the sheriff, two certified copies of the transcript of the  
2471 docket of the judgment and a certificate stating that the  
2472 judgment remains unsatisfied. ~~When and~~ If the judgment is  
2473 properly paid or a court ~~an~~ order to vacate the judgment has  
2474 been entered ~~by a court of competent jurisdiction,~~ the clerk  
2475 shall immediately notify the sheriff, or the official  
2476 responsible for the operation of the county jail, if other than  
2477 the sheriff, ~~and the Department of Financial Services~~ and the  
2478 Office of Insurance Regulation, if the ~~department~~ and office had  
2479 been previously notified of nonpayment, of such payment or order  
2480 to vacate the judgment. The clerk shall also immediately prepare  
2481 and record in the public records a satisfaction of the judgment  
2482 or record the order to vacate judgment. If the defendant is  
2483 returned to the county of jurisdiction of the court and,  
2484 ~~whenever~~ a motion to set aside the judgment is filed, the  
2485 operation of this section is tolled until the court makes a  
2486 disposition of the motion.

2487 Section 58. Except as otherwise expressly provided in this  
2488 act, this act shall take effect October 1, 2012.