

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.