

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Regulatory Affairs
 2 Committee

3 Representative Fant offered the following:

4
 5 **Amendment (with title amendment)**

6 Between lines 552 and 553, insert:

7 Section 12. Section 626.931, Florida Statutes, is amended
 8 to read:

9 626.931 ~~Agent affidavit and~~ Insurer reporting
 10 requirements.-

11 ~~(1) Each surplus lines agent shall on or before the 45th~~
 12 ~~day following each calendar quarter file with the Florida~~
 13 ~~Surplus Lines Service Office an affidavit, on forms as~~
 14 ~~prescribed and furnished by the Florida Surplus Lines Service~~
 15 ~~Office, stating that all surplus lines insurance transacted by~~
 16 ~~him or her during such calendar quarter has been submitted to~~
 17 ~~the Florida Surplus Lines Service Office as required.~~

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18 ~~(2) The affidavit of the surplus lines agent shall include~~
19 ~~efforts made to place coverages with authorized insurers and the~~
20 ~~results thereof.~~

21 (1)~~(3)~~ Each foreign insurer accepting premiums shall, on
22 or before the end of the month following each calendar quarter,
23 file with the Florida Surplus Lines Service Office a verified
24 report of all surplus lines insurance transacted by such insurer
25 for insurance risks located in this state during such calendar
26 quarter.

27 (2)~~(4)~~ Each alien insurer accepting premiums shall, on or
28 before June 30 of each year, file with the Florida Surplus Lines
29 Service Office a verified report of all surplus lines insurance
30 transacted by such insurer for insurance risks located in this
31 state during the preceding calendar year.

32 (3)~~(5)~~ The department may waive the filing requirements
33 described in subsections (1) and (2) ~~(3) and (4)~~.

34 (4)~~(6)~~ Each insurer's report and supporting information
35 shall be in a computer-readable format as determined by the
36 Florida Surplus Lines Service Office or shall be submitted on
37 forms prescribed by the Florida Surplus Lines Service Office and
38 shall show for each applicable agent:

39 (a) A listing of all policies, certificates, cover notes,
40 or other forms of confirmation of insurance coverage or any
41 substitutions thereof or endorsements thereto and the
42 identifying number; and

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43 (b) Any additional information required by the department
44 or Florida Surplus Lines Service Office.

45 Section 13. Paragraph (a) of subsection (2) of section
46 626.932, Florida Statutes, is amended to read:

47 626.932 Surplus lines tax.—

48 (2)(a) The surplus lines agent shall make payable to the
49 department the tax related to each calendar quarter's business
50 as reported to the Florida Surplus Lines Service Office, and
51 remit the tax to the Florida Surplus Lines Service Office on or
52 before the 45th day following each calendar quarter ~~at the same~~
53 ~~time as provided for the filing of the quarterly affidavit,~~
54 ~~under s. 626.931.~~ The Florida Surplus Lines Service Office shall
55 forward to the department the taxes and any interest collected
56 pursuant to paragraph (b), within 10 days of receipt.

57 Section 14. Paragraph (d) of subsection (1) of section
58 626.935, Florida Statutes, is amended to read:

59 626.935 Suspension, revocation, or refusal of surplus
60 lines agent's license.—

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

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

67 Section 15. Subsection (1) of section 626.936, Florida
68 Statutes, is amended to read:

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69 626.936 Failure to file reports or pay tax or service fee;
70 administrative penalty.-

71 (1) Any licensed surplus lines agent who neglects to file
72 a report ~~or an affidavit~~ in the form and within the time
73 required or provided for in the Surplus Lines Law may be fined
74 up to \$50 per day for each day the neglect continues, beginning
75 the day after the report ~~or affidavit~~ was due until the date the
76 report ~~or affidavit~~ is received. All sums collected under this
77 section shall be deposited into the Insurance Regulatory Trust
78 Fund.

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

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Remove line 34 and insert:

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respectively; amending s. 626.931, F.S.; deleting

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requirements for surplus lines agents to submit

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certain affidavits; amending s. 626.932, F.S.;

86

revising the time within which surplus lines agents

87

must remit certain taxes; amending ss. 626.935 and

88

626.936, F.S.; making conforming changes; amending s.

89

626.9541, F.S.; providing