



491438

LEGISLATIVE ACTION

| Senate     | . | House |
|------------|---|-------|
| Comm: RCS  | . |       |
| 04/02/2015 | . |       |
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|            | . |       |

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Appropriations Subcommittee on General Government (Simpson)  
recommended the following:

**Senate Amendment (with title amendment)**

Between lines 542 and 543

insert:

Section 1. Section 626.931, Florida Statutes, is amended to  
read:

626.931 ~~Agent affidavit and~~ Insurer reporting  
requirements.—

~~(1) Each surplus lines agent shall on or before the 45th  
day following each calendar quarter file with the Florida~~



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11 ~~Surplus Lines Service Office an affidavit, on forms as~~  
12 ~~prescribed and furnished by the Florida Surplus Lines Service~~  
13 ~~Office, stating that all surplus lines insurance transacted by~~  
14 ~~him or her during such calendar quarter has been submitted to~~  
15 ~~the Florida Surplus Lines Service Office as required.~~

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

19 ~~(1)~~(3) Each foreign insurer accepting premiums shall, on or  
20 before the end of the month following each calendar quarter,  
21 file with the Florida Surplus Lines Service Office a verified  
22 report of all surplus lines insurance transacted by such insurer  
23 for insurance risks located in this state during such calendar  
24 quarter.

25 ~~(2)~~(4) Each alien insurer accepting premiums shall, on or  
26 before June 30 of each year, file with the Florida Surplus Lines  
27 Service Office a verified report of all surplus lines insurance  
28 transacted by such insurer for insurance risks located in this  
29 state during the preceding calendar year.

30 ~~(3)~~(5) The department may waive the filing requirements  
31 described in subsections (1) and (2) ~~(3) and (4)~~.

32 ~~(4)~~(6) Each insurer's report and supporting information  
33 shall be in a computer-readable format as determined by the  
34 Florida Surplus Lines Service Office or shall be submitted on  
35 forms prescribed by the Florida Surplus Lines Service Office and  
36 shall show for each applicable agent:

37 (a) A listing of all policies, certificates, cover notes,  
38 or other forms of confirmation of insurance coverage or any  
39 substitutions thereof or endorsements thereto and the



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40 identifying number; and

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

43 Section 2. Paragraph (a) of subsection (2) of section  
44 626.932, Florida Statutes, is amended to read:

45 626.932 Surplus lines tax.—

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

55 Section 3. Paragraph (d) of subsection (1) of section  
56 626.935, Florida Statutes, is amended to read:

57 626.935 Suspension, revocation, or refusal of surplus lines  
58 agent's license.—

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

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

65 Section 4. Subsection (1) of section 626.936, Florida  
66 Statutes, is amended to read:

67 626.936 Failure to file reports or pay tax or service fee;  
68 administrative penalty.—



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

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

78 And the title is amended as follows:

79 Delete line 29

80 and insert:

81 respectively; amending s. 626.931, F.S.; deleting  
82 provisions that require surplus lines agents to file a  
83 quarterly affidavit with the Florida Surplus Lines  
84 Office; amending ss. 626.932, 626.935, and 626.936,  
85 F.S.; conforming provisions to changes made by act;  
86 amending s. 626.9541, F.S.; providing