

By the Committees on Rules; and Banking and Insurance; and  
Senator Richter

595-03761-16

20161386c2

1 A bill to be entitled

2 An act relating to insurance agents; amending s.  
3 626.593, F.S.; revising a prohibition against a  
4 licensed insurance agent from receiving a specified  
5 fee or commission for examining any health insurance  
6 or any health benefit plan, rather than any group  
7 health insurance or any group health benefit plan, for  
8 certain purposes; amending s. 626.785, F.S.; revising  
9 amounts of coverage of certain life insurance policies  
10 that may be sold by specified persons; revising the  
11 version of the Annual Consumer Price Index used as a  
12 basis for calculating certain annual percentage  
13 increases in specified policies; providing an  
14 effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. Subsection (1) of section 626.593, Florida  
19 Statutes, is amended to read:

20 626.593 Insurance agent; written contract for  
21 compensation.—

22 (1) No person licensed as an insurance agent may receive  
23 any fee or commission or any other thing of value in addition to  
24 the rates filed pursuant to chapter 627 for examining any ~~group~~  
25 health insurance or any ~~group~~ health benefit plan for the  
26 purpose of giving or offering advice, counsel, recommendation,  
27 or information in respect to terms, conditions, benefits,  
28 coverage, or premium of any such policy or contract unless such  
29 compensation is based upon a written contract signed by the  
30 party to be charged and specifying or clearly defining the  
31 amount or extent of such compensation and informing the party to

595-03761-16

20161386c2

32 be charged that any commission received from an insurer will be  
33 rebated to the party in accordance with subsection (3). In  
34 addition, all compensation to be paid to the insurance agent  
35 must be disclosed in the contract.

36 Section 2. Paragraph (d) of subsection (1) and subsection  
37 (3) of section 626.785, Florida Statutes, are amended to read:  
38 626.785 Qualifications for license.—

39 (1) The department shall not grant or issue a license as  
40 life agent to any individual found by it to be untrustworthy or  
41 incompetent, or who does not meet the following qualifications:

42 (d) Must not be a funeral director or direct disposer, or  
43 an employee or representative thereof, or have an office in, or  
44 in connection with, a funeral establishment, except that a  
45 funeral establishment may contract with a life insurance agent  
46 to sell a preneed contract as defined in s. 497.005.

47 Notwithstanding other provisions of this chapter, such insurance  
48 agent may sell limited policies of insurance covering the  
49 expense of final disposition or burial of an insured in the  
50 amount of \$21,000 ~~\$12,500~~, plus an annual percentage increase  
51 based on the Annual Consumer Price Index compiled by the United  
52 States Department of Labor, beginning with the Annual Consumer  
53 Price Index announced by the United States Department of Labor  
54 for the year 2016 ~~2003~~.

55 (3) Notwithstanding any other provisions of this chapter, a  
56 funeral director, a direct disposer, or an employee of a funeral  
57 establishment that holds a certificate of authority pursuant to  
58 s. 497.452 may obtain an agent's license to sell only policies  
59 of life insurance covering the expense of a prearrangement for  
60 funeral services or merchandise so as to provide funds at the

595-03761-16

20161386c2

61 time the services and merchandise are needed. The face amount of  
62 insurance covered by any such policy shall not exceed \$21,000  
63 ~~\$12,500~~, plus an annual percentage increase based on the Annual  
64 Consumer Price Index compiled by the United States Department of  
65 Labor, beginning with the Annual Consumer Price Index announced  
66 by the United States Department of Labor for 2016 ~~2003~~.

67 Section 3. This act shall take effect upon becoming a law.