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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/10/2016	.	
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The Committee on Regulated Industries (Richter) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 624.04, Florida Statutes, is amended to  
read:

624.04 "Person" defined.—"Person" includes an individual,  
insurer, company, association, organization, Lloyds, society,  
reciprocal insurer or interinsurance exchange, partnership,  
syndicate, business trust, corporation, agent, general agent,



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11 broker, service representative, adjuster, property insurance  
12 appraisal umpire, and every legal entity.

13 Section 2. Subsection (2) of section 624.303, Florida  
14 Statutes, is amended to read:

15 624.303 Seal; certified copies as evidence.—

16 (2) All certificates executed by the department or office,  
17 other than licenses of agents, property insurance appraisal  
18 umpires, ~~or~~ adjusters, or similar licenses or permits, shall  
19 bear its respective seal.

20 Section 3. Subsection (4) of section 624.311, Florida  
21 Statutes, is amended to read:

22 624.311 Records; reproductions; destruction.—

23 (4) To facilitate the efficient use of floor space and  
24 filing equipment in its offices, the department, commission, and  
25 office may each destroy the following records and documents  
26 pursuant to chapter 257:

27 (a) General closed correspondence files over 3 years old;

28 (b) Agent, adjuster, property insurance appraisal umpire,  
29 and similar license files, including license files of the  
30 Division of State Fire Marshal, over 2 years old; except that  
31 the department or office shall preserve by reproduction or  
32 otherwise a copy of the original records upon the basis of which  
33 each such licensee qualified for her or his initial license,  
34 except a competency examination, and of any disciplinary  
35 proceeding affecting the licensee;

36 (c) All agent, adjuster, property insurance appraisal  
37 umpire, and similar license files and records, including  
38 original license qualification records and records of  
39 disciplinary proceedings 5 years after a licensee has ceased to



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40 be qualified for a license;

41 (d) Insurer certificate of authority files over 2 years  
42 old, except that the office shall preserve by reproduction or  
43 otherwise a copy of the initial certificate of authority of each  
44 insurer;

45 (e) All documents and records which have been photographed  
46 or otherwise reproduced as provided in subsection (3), if such  
47 reproductions have been filed and an audit of the department or  
48 office has been completed for the period embracing the dates of  
49 such documents and records; and

50 (f) All other records, documents, and files not expressly  
51 provided for in paragraphs (a)-(e).

52 Section 4. Section 624.317, Florida Statutes, is amended to  
53 read:

54 624.317 Investigation of agents, adjusters, property  
55 insurance appraisal umpires, administrators, service companies,  
56 and others.—If it has reason to believe that any person has  
57 violated or is violating any provision of this code, or upon the  
58 written complaint signed by any interested person indicating  
59 that any such violation may exist:

60 (1) The department shall conduct such investigation as it  
61 deems necessary of the accounts, records, documents, and  
62 transactions pertaining to or affecting the insurance affairs of  
63 any general agent, surplus lines agent, adjuster, property  
64 insurance appraisal umpire, managing general agent, insurance  
65 agent, insurance agency, customer representative, service  
66 representative, or other person subject to its jurisdiction,  
67 subject to the requirements of s. 626.601.

68 (2) The office shall conduct such investigation as it deems



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69 necessary of the accounts, records, documents, and transactions  
70 pertaining to or affecting the insurance affairs of any:

71 (a) Administrator, service company, or other person subject  
72 to its jurisdiction.

73 (b) Person having a contract or power of attorney under  
74 which she or he enjoys in fact the exclusive or dominant right  
75 to manage or control an insurer.

76 (c) Person engaged in or proposing to be engaged in the  
77 promotion or formation of:

- 78 1. A domestic insurer;  
79 2. An insurance holding corporation; or  
80 3. A corporation to finance a domestic insurer or in the  
81 production of the domestic insurer's business.

82 Section 5. Paragraph (c) of subsection (19) and subsection  
83 (28) of section 624.501, Florida Statutes, are amended, and  
84 subsection (29) is added to that section, to read:

85 624.501 Filing, license, appointment, and miscellaneous  
86 fees.—The department, commission, or office, as appropriate,  
87 shall collect in advance, and persons so served shall pay to it  
88 in advance, fees, licenses, and miscellaneous charges as  
89 follows:

90 (19) Miscellaneous services:

91 (c) For preparing lists of agents, adjusters, property  
92 insurance appraisal umpires, and other insurance  
93 representatives, and for other miscellaneous services, such  
94 reasonable charge as may be fixed by the office or department.

95 (28) Late filing of appointment renewals for agents,  
96 adjusters, property insurance appraisal umpires, and other  
97 insurance representatives, each appointment.....\$20.00



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98           (29) Property insurance appraisal umpires:

99           (a) Property insurance appraisal umpire's appointment and  
100 biennial renewal or continuation thereof, each  
101 appointment.....\$60.00

102           (b) Fee to cover the actual cost of a credit report when  
103 the report must be secured by the department.

104           Section 6. Paragraph (e) of subsection (1) of section  
105 624.523, Florida Statutes, is amended to read:

106           624.523 Insurance Regulatory Trust Fund.—

107           (1) There is created in the State Treasury a trust fund  
108 designated "Insurance Regulatory Trust Fund" to which shall be  
109 credited all payments received on account of the following  
110 items:

111           (e) All payments received on account of items provided for  
112 under respective provisions of s. 624.501, as follows:

- 113           1. Subsection (1) (certificate of authority of insurer).
- 114           2. Subsection (2) (charter documents of insurer).
- 115           3. Subsection (3) (annual license tax of insurer).
- 116           4. Subsection (4) (annual statement of insurer).
- 117           5. Subsection (5) (application fee for insurance  
118 representatives).

119           6. The "appointment fee" portion of any appointment  
120 provided for under paragraphs (6) (a) and (b) (insurance  
121 representatives, property, marine, casualty and surety  
122 insurance, and agents).

123           7. Paragraph (6) (c) (nonresident agents).

124           8. Paragraph (6) (d) (service representatives).

125           9. The "appointment fee" portion of any appointment  
126 provided for under paragraph (7) (a) (life insurance agents,



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127 original appointment, and renewal or continuation of  
128 appointment).

129 10. Paragraph (7) (b) (nonresident agent license).

130 11. The "appointment fee" portion of any appointment  
131 provided for under paragraph (8) (a) (health insurance agents,  
132 agent's appointment, and renewal or continuation fee).

133 12. Paragraph (8) (b) (nonresident agent appointment).

134 13. The "appointment fee" portion of any appointment  
135 provided for under subsections (9) and (10) (limited licenses  
136 and fraternal benefit society agents).

137 14. Subsection (11) (surplus lines agent).

138 15. Subsection (12) (adjusters' appointment).

139 16. Subsection (13) (examination fee).

140 17. Subsection (14) (temporary license and appointment as  
141 agent or adjuster).

142 18. Subsection (15) (reissuance, reinstatement, etc.).

143 19. Subsection (16) (additional license continuation fees).

144 20. Subsection (17) (filing application for permit to form  
145 insurer).

146 21. Subsection (18) (license fee of rating organization).

147 22. Subsection (19) (miscellaneous services).

148 23. Subsection (20) (insurance agencies).

149 24. Subsection (29) (property insurance appraisal umpires'  
150 appointment).

151 Section 7. Subsections (16) through (19) of section  
152 626.015, Florida Statutes, are renumbered as subsections (17)  
153 through (20), respectively, and a new subsection (16) is added  
154 to that section, to read:  
155 626.015 Definitions.—As used in this part:



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156           (16) "Property insurance appraisal umpire" or "umpire"  
157 means a property insurance appraisal umpire as defined in s.  
158 626.9964.

159           Section 8. Subsection (1) of section 626.016, Florida  
160 Statutes, is amended to read:

161           626.016 Powers and duties of department, commission, and  
162 office.—

163           (1) The powers and duties of the Chief Financial Officer  
164 and the department specified in this part apply only with  
165 respect to insurance agents, insurance agencies, managing  
166 general agents, ~~insurance~~ adjusters, umpires, reinsurance  
167 intermediaries, viatical settlement brokers, customer  
168 representatives, service representatives, and agencies.

169           Section 9. Subsection (1) of section 626.022, Florida  
170 Statutes, is amended to read:

171           626.022 Scope of part.—

172           (1) This part applies as to insurance agents, service  
173 representatives, adjusters, umpires, and insurance agencies; as  
174 to any and all kinds of insurance; and as to stock insurers,  
175 mutual insurers, reciprocal insurers, and all other types of  
176 insurers, except that:

177           (a) It does not apply as to reinsurance, except that ss.  
178 626.011-626.022, ss. 626.112-626.181, ss. 626.191-626.211, ss.  
179 626.291-626.301, s. 626.331, ss. 626.342-626.521, ss. 626.541-  
180 626.591, and ss. 626.601-626.711 shall apply as to reinsurance  
181 intermediaries as defined in s. 626.7492.

182           (b) The applicability of this chapter as to fraternal  
183 benefit societies shall be as provided in chapter 632.

184           (c) It does not apply to a bail bond agent, as defined in



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185 s. 648.25, except as provided in chapter 648 or chapter 903.

186 (d) This part does not apply to a certified public  
187 accountant licensed under chapter 473 who is acting within the  
188 scope of the practice of public accounting, as defined in s.  
189 473.302, provided that the activities of the certified public  
190 accountant are limited to advising a client of the necessity of  
191 obtaining insurance, the amount of insurance needed, or the line  
192 of coverage needed, and provided that the certified public  
193 accountant does not directly or indirectly receive or share in  
194 any commission or referral fee.

195 Section 10. Section 626.112, Florida Statutes, is amended  
196 to read:

197 626.112 License and appointment required; agents, customer  
198 representatives, adjusters, umpires, insurance agencies, service  
199 representatives, managing general agents.—

200 (1) (a) No person may be, act as, or advertise or hold  
201 himself or herself out to be an insurance agent, insurance  
202 adjuster, or customer representative unless he or she is  
203 currently licensed by the department and appointed by an  
204 appropriate appointing entity or person.

205 (b) Except as provided in subsection (8) ~~(6)~~ or in  
206 applicable department rules, and in addition to other conduct  
207 described in this chapter with respect to particular types of  
208 agents, a license as an insurance agent, service representative,  
209 customer representative, or limited customer representative is  
210 required in order to engage in the solicitation of insurance.  
211 For purposes of this requirement, as applicable to any of the  
212 license types described in this section, the solicitation of  
213 insurance is the attempt to persuade any person to purchase an





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214 insurance product by:

215 1. Describing the benefits or terms of insurance coverage,  
216 including premiums or rates of return;

217 2. Distributing an invitation to contract to prospective  
218 purchasers;

219 3. Making general or specific recommendations as to  
220 insurance products;

221 4. Completing orders or applications for insurance  
222 products;

223 5. Comparing insurance products, advising as to insurance  
224 matters, or interpreting policies or coverages; or

225 6. Offering or attempting to negotiate on behalf of another  
226 person a viatical settlement contract as defined in s. 626.9911.

227

228 However, an employee leasing company licensed pursuant to  
229 chapter 468 which is seeking to enter into a contract with an  
230 employer that identifies products and services offered to  
231 employees may deliver proposals for the purchase of employee  
232 leasing services to prospective clients of the employee leasing  
233 company setting forth the terms and conditions of doing  
234 business; classify employees as permitted by s. 468.529; collect  
235 information from prospective clients and other sources as  
236 necessary to perform due diligence on the prospective client and  
237 to prepare a proposal for services; provide and receive  
238 enrollment forms, plans, and other documents; and discuss or  
239 explain in general terms the conditions, limitations, options,  
240 or exclusions of insurance benefit plans available to the client  
241 or employees of the employee leasing company were the client to  
242 contract with the employee leasing company. Any advertising



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243 materials or other documents describing specific insurance  
244 coverages must identify and be from a licensed insurer or its  
245 licensed agent or a licensed and appointed agent employed by the  
246 employee leasing company. The employee leasing company may not  
247 advise or inform the prospective business client or individual  
248 employees of specific coverage provisions, exclusions, or  
249 limitations of particular plans. As to clients for which the  
250 employee leasing company is providing services pursuant to s.  
251 468.525(4), the employee leasing company may engage in  
252 activities permitted by ss. 626.7315, 626.7845, and 626.8305,  
253 subject to the restrictions specified in those sections. If a  
254 prospective client requests more specific information concerning  
255 the insurance provided by the employee leasing company, the  
256 employee leasing company must refer the prospective business  
257 client to the insurer or its licensed agent or to a licensed and  
258 appointed agent employed by the employee leasing company.

259 (2) No agent or customer representative shall solicit or  
260 otherwise transact as agent or customer representative, or  
261 represent or hold himself or herself out to be an agent or  
262 customer representative as to, any kind or kinds of insurance as  
263 to which he or she is not then licensed and appointed.

264 (3) No person shall act as an adjuster as to any class of  
265 business for which he or she is not then licensed and appointed.

266 (4) No person shall be, act as, or represent or hold  
267 himself or herself out to be a service representative unless he  
268 or she then holds a currently effective service representative  
269 license and appointment. This subsection does not apply as to  
270 similar representatives or employees of casualty insurers whose  
271 duties are restricted to health insurance.



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272 (5) No person shall be, act as, or represent or hold  
273 himself or herself out to be a managing general agent unless he  
274 or she then holds a currently effective managing general agent  
275 license and appointment.

276 (6) No person shall be, act as, or represent or hold  
277 himself or herself out to be a property insurance appraisal  
278 umpire unless he or she holds a currently effective license and  
279 appointment as a property insurance appraisal umpire.

280 (7) No person shall be, act as, or represent or hold  
281 himself or herself out to be a property insurance appraiser who  
282 is eligible to represent an insured on a personal residential or  
283 commercial residential property insurance claim unless he or she  
284 holds a currently effective license as an adjuster or is exempt  
285 from licensure under s. 626.860. Only a self-appointed insurance  
286 appraiser may serve as an adjuster.

287 (8)~~(6)~~ An individual employed by a life or health insurer  
288 as an officer or other salaried representative may solicit and  
289 effect contracts of life insurance or annuities or of health  
290 insurance, without being licensed as an agent, when and only  
291 when he or she is accompanied by and solicits for and on the  
292 behalf of a licensed and appointed agent.

293 (9) (a)~~(7) (a)~~ An individual, firm, partnership, corporation,  
294 association, or other entity shall not act in its own name or  
295 under a trade name, directly or indirectly, as an insurance  
296 agency unless it complies with s. 626.172 with respect to  
297 possessing an insurance agency license for each place of  
298 business at which it engages in an activity that may be  
299 performed only by a licensed insurance agent. However, an  
300 insurance agency that is owned and operated by a single licensed



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301 agent conducting business in his or her individual name and not  
302 employing or otherwise using the services of or appointing other  
303 licensees shall be exempt from the agency licensing requirements  
304 of this subsection.

305 (b) A branch place of business that is established by a  
306 licensed agency is considered a branch agency and is not  
307 required to be licensed so long as it transacts business under  
308 the same name and federal tax identification number as the  
309 licensed agency and has designated with the department a  
310 licensed agent in charge of the branch location as required by  
311 s. 626.0428 and the address and telephone number of the branch  
312 location have been submitted to the department for inclusion in  
313 the licensing record of the licensed agency within 30 days after  
314 insurance transactions begin at the branch location.

315 (c) If an agency is required to be licensed but fails to  
316 file an application for licensure in accordance with this  
317 section, the department shall impose on the agency an  
318 administrative penalty of up to \$10,000.

319 (d) Effective October 1, 2015, the department must  
320 automatically convert the registration of an approved registered  
321 insurance agency to an insurance agency license.

322 ~~(10)(8)~~ No insurance agent, insurance agency, or other  
323 person licensed under the Insurance Code may pay any fee or  
324 other consideration to an unlicensed person other than an  
325 insurance agency for the referral of prospective purchasers to  
326 an insurance agent which is in any way dependent upon whether  
327 the referral results in the purchase of an insurance product.

328 ~~(11)(9)~~ Any person who knowingly transacts insurance or  
329 otherwise engages in insurance activities in this state without



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330 a license in violation of this section commits a felony of the  
331 third degree, punishable as provided in s. 775.082, s. 775.083,  
332 or s. 775.084.

333 Section 11. Subsections (1) and (4) of section 626.171,  
334 Florida Statutes, are amended to read:

335 626.171 Application for license as an agent, customer  
336 representative, adjuster, umpire, service representative,  
337 managing general agent, or reinsurance intermediary.-

338 (1) The department may not issue a license as agent,  
339 customer representative, adjuster, umpire, service  
340 representative, managing general agent, or reinsurance  
341 intermediary to any person except upon written application filed  
342 with the department, meeting the qualifications for the license  
343 applied for as determined by the department, and payment in  
344 advance of all applicable fees. The application must be made  
345 under the oath of the applicant and be signed by the applicant.  
346 An applicant may permit a third party to complete, submit, and  
347 sign an application on the applicant's behalf, but is  
348 responsible for ensuring that the information on the application  
349 is true and correct and is accountable for any misstatements or  
350 misrepresentations. The department shall accept the uniform  
351 application for nonresident agent licensing. The department may  
352 adopt revised versions of the uniform application by rule.

353 (4) An applicant for a license as an agent, customer  
354 representative, adjuster, umpire, service representative,  
355 managing general agent, or reinsurance intermediary must submit  
356 a set of the individual applicant's fingerprints, or, if the  
357 applicant is not an individual, a set of the fingerprints of the  
358 sole proprietor, majority owner, partners, officers, and



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359 directors, to the department and must pay the fingerprint  
360 processing fee set forth in s. 624.501. Fingerprints shall be  
361 used to investigate the applicant's qualifications pursuant to  
362 s. 626.201. The fingerprints shall be taken by a law enforcement  
363 agency, designated examination center, or other department-  
364 approved entity. The department shall require all designated  
365 examination centers to have fingerprinting equipment and to take  
366 fingerprints from any applicant or prospective applicant who  
367 pays the applicable fee. The department may not approve an  
368 application for licensure as an agent, customer service  
369 representative, adjuster, umpire, service representative,  
370 managing general agent, or reinsurance intermediary if  
371 fingerprints have not been submitted.

372 Section 12. Subsection (9) of section 626.207, Florida  
373 Statutes, is amended to read:

374 626.207 Disqualification of applicants and licensees;  
375 penalties against licensees; rulemaking authority.-

376 (9) Section 112.011 does not apply to any applicants for  
377 licensure under the Florida Insurance Code, including, but not  
378 limited to, agents, agencies, adjusters, adjusting firms,  
379 umpires, customer representatives, or managing general agents.

380 Section 13. Subsections (1) and (2) of section 626.2815,  
381 Florida Statutes, are amended to read:

382 626.2815 Continuing education requirements.-

383 (1) The purpose of this section is to establish  
384 requirements and standards for continuing education courses for  
385 individuals licensed to solicit, sell, or adjust insurance or to  
386 serve as an umpire in the state.

387 (2) Except as otherwise provided in this section, this



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388 section applies to individuals licensed to transact ~~engage in~~  
389 ~~the sale of~~ insurance or adjust ~~adjustment of~~ insurance claims  
390 in this state for all lines of insurance for which an  
391 examination is required for licensing and to individuals  
392 licensed to serve as an umpire ~~each insurer, employer, or~~  
393 ~~appointing entity, including, but not limited to, those created~~  
394 ~~or existing pursuant to s. 627.351.~~ This section does not apply  
395 to an individual who holds a license for the sale of any line of  
396 insurance for which an examination is not required by the laws  
397 of this state or who holds a limited license as a crop or hail  
398 and multiple-peril crop insurance agent. Licensees who are  
399 unable to comply with the continuing education requirements due  
400 to active duty in the military may submit a written request for  
401 a waiver to the department.

402 Section 14. Subsections (1), (3), (5), and (6) of section  
403 626.451, Florida Statutes, are amended to read:

404 626.451 Appointment of agent or other representative.—

405 (1) Each appointing entity or person designated by the  
406 department to administer the appointment process appointing an  
407 agent, adjuster, umpire, service representative, customer  
408 representative, or managing general agent in this state shall  
409 file the appointment with the department or office and, at the  
410 same time, pay the applicable appointment fee and taxes. Every  
411 appointment shall be subject to the prior issuance of the  
412 appropriate agent's, adjuster's, umpire's, service  
413 representative's, customer representative's, or managing general  
414 agent's license.

415 (3) By authorizing the effectuation of the appointment of  
416 an agent, adjuster, umpire, service representative, customer



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417 representative, or managing general agent the appointing entity  
418 is thereby certifying to the department that it is willing to be  
419 bound by the acts of the agent, adjuster, umpire, service  
420 representative, customer representative, or managing general  
421 agent, within the scope of the licensee's employment or  
422 appointment.

423 (5) Any law enforcement agency or state attorney's office  
424 that is aware that an agent, adjuster, umpire, service  
425 representative, customer representative, or managing general  
426 agent has pleaded guilty or nolo contendere to or has been found  
427 guilty of a felony shall notify the department or office of such  
428 fact.

429 (6) Upon the filing of an information or indictment against  
430 an agent, adjuster, umpire, service representative, customer  
431 representative, or managing general agent, the state attorney  
432 shall immediately furnish the department or office a certified  
433 copy of the information or indictment.

434 Section 15. Section 626.461, Florida Statutes, is amended  
435 to read:

436 626.461 Continuation of appointment of agent or other  
437 representative.—Subject to renewal or continuation by the  
438 appointing entity, the appointment of the agent, adjuster,  
439 umpire, service representative, customer representative, or  
440 managing general agent shall continue in effect until the  
441 person's license is revoked or otherwise terminated, unless  
442 written notice of earlier termination of the appointment is  
443 filed with the department or person designated by the department  
444 to administer the appointment process by either the appointing  
445 entity or the appointee.





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446 Section 16. Subsection (3) of section 626.521, Florida  
447 Statutes, is amended to read:

448 626.521 Character, credit reports.—

449 (3) As to an applicant for an adjuster's, umpire's, or  
450 reinsurance intermediary's license who is to be self-employed,  
451 the department may secure, at the cost of the applicant, a full  
452 detailed credit and character report made by an established and  
453 reputable independent reporting service relative to the  
454 applicant.

455 Section 17. Subsection (1) of section 626.541, Florida  
456 Statutes, is amended to read:

457 626.541 Firm, corporate, and business names; officers;  
458 associates; notice of changes.—

459 (1) Any licensed agent, ~~or~~ adjuster, or umpire doing  
460 business under a firm or corporate name or under any business  
461 name other than his or her own individual name shall, within 30  
462 days after initially transacting ~~the initial transaction of~~  
463 insurance or engaging in insurance activities under such  
464 business name, file with the department, on forms adopted and  
465 furnished by the department, a written statement of the firm,  
466 corporate, or business name being so used, the address of any  
467 office or offices or places of business making use of such name,  
468 and the name and social security number of each officer and  
469 director of the corporation and of each individual associated in  
470 such firm or corporation as to the insurance transactions  
471 thereof or in the use of such business name.

472 Section 18. Subsection (1) of section 626.601, Florida  
473 Statutes, is amended to read:

474 626.601 Improper conduct; inquiry; fingerprinting.—



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475           (1) The department or office may, upon its own motion or  
476 upon a written complaint signed by any interested person and  
477 filed with the department or office, inquire into any alleged  
478 improper conduct of any licensed, approved, or certified  
479 licensee, insurance agency, agent, adjuster, umpire, service  
480 representative, managing general agent, customer representative,  
481 title insurance agent, title insurance agency, mediator, neutral  
482 evaluator, navigator, continuing education course provider,  
483 instructor, school official, or monitor group under this code.  
484 The department or office may thereafter initiate an  
485 investigation of any such individual or entity if it has  
486 reasonable cause to believe that the individual or entity has  
487 violated any provision of the insurance code. During the course  
488 of its investigation, the department or office shall contact the  
489 individual or entity being investigated unless it determines  
490 that contacting such individual or entity could jeopardize the  
491 successful completion of the investigation or cause injury to  
492 the public.

493           Section 19. Subsection (1) of section 626.611, Florida  
494 Statutes, is amended to read:

495           626.611 Grounds for compulsory refusal, suspension, or  
496 revocation of agent's, title agency's, adjuster's, umpire's,  
497 customer representative's, service representative's, or managing  
498 general agent's license or appointment.—

499           (1) The department shall deny an application for, suspend,  
500 revoke, or refuse to renew or continue the license or  
501 appointment of any applicant, agent, title agency, adjuster,  
502 umpire, customer representative, service representative, or  
503 managing general agent, and it shall suspend or revoke the



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504 eligibility to hold a license or appointment of any such person,  
505 if it finds that as to the applicant, licensee, or appointee any  
506 one or more of the following applicable grounds exist:

507 (a) Lack of one or more of the qualifications for the  
508 license or appointment as specified in this code.

509 (b) Material misstatement, misrepresentation, or fraud in  
510 obtaining the license or appointment or in attempting to obtain  
511 the license or appointment.

512 (c) Failure to pass to the satisfaction of the department  
513 any examination required under this code.

514 (d) If the license or appointment is willfully used, or to  
515 be used, to circumvent any of the requirements or prohibitions  
516 of this code.

517 (e) Willful misrepresentation of any insurance policy or  
518 annuity contract or willful deception with regard to any such  
519 policy or contract, done either in person or by any form of  
520 dissemination of information or advertising.

521 (f) If, as an adjuster, or agent licensed and appointed to  
522 adjust claims under this code, he or she has materially  
523 misrepresented to an insured or other interested party the terms  
524 and coverage of an insurance contract with intent and for the  
525 purpose of effecting settlement of claim for loss or damage or  
526 benefit under such contract on less favorable terms than those  
527 provided in and contemplated by the contract.

528 (g) Demonstrated lack of fitness or trustworthiness to  
529 engage in the business of insurance.

530 (h) Demonstrated lack of reasonably adequate knowledge and  
531 technical competence to engage in the transactions authorized by  
532 the license or appointment.



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533 (i) Fraudulent or dishonest practices in the conduct of  
534 business under the license or appointment.

535 (j) Misappropriation, conversion, or unlawful withholding  
536 of moneys belonging to insurers or insureds or beneficiaries or  
537 to others and received in conduct of business under the license  
538 or appointment.

539 (k) Unlawfully rebating, attempting to unlawfully rebate,  
540 or unlawfully dividing or offering to divide his or her  
541 commission with another.

542 (l) Having obtained or attempted to obtain, or having used  
543 or using, a license or appointment as agent or customer  
544 representative for the purpose of soliciting or handling  
545 "controlled business" as defined in s. 626.730 with respect to  
546 general lines agents, s. 626.784 with respect to life agents,  
547 and s. 626.830 with respect to health agents.

548 (m) Willful failure to comply with, or willful violation  
549 of, any proper order or rule of the department or willful  
550 violation of any provision of this code.

551 (n) Having been found guilty of or having pleaded guilty or  
552 nolo contendere to a felony or a crime punishable by  
553 imprisonment of 1 year or more under the law of the United  
554 States of America or of any state thereof or under the law of  
555 any other country which involves moral turpitude, without regard  
556 to whether a judgment of conviction has been entered by the  
557 court having jurisdiction of such cases.

558 (o) Fraudulent or dishonest practice in submitting or  
559 aiding or abetting any person in the submission of an  
560 application for workers' compensation coverage under chapter 440  
561 containing false or misleading information as to employee



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562 payroll or classification for the purpose of avoiding or  
563 reducing the amount of premium due for such coverage.

564 (p) Sale of an unregistered security that was required to  
565 be registered, pursuant to chapter 517.

566 (q) In transactions related to viatical settlement  
567 contracts as defined in s. 626.9911:

568 1. Commission of a fraudulent or dishonest act.

569 2. No longer meeting the requirements for initial  
570 licensure.

571 3. Having received a fee, commission, or other valuable  
572 consideration for his or her services with respect to viatical  
573 settlements that involved unlicensed viatical settlement  
574 providers or persons who offered or attempted to negotiate on  
575 behalf of another person a viatical settlement contract as  
576 defined in s. 626.9911 and who were not licensed life agents.

577 4. Dealing in bad faith with viators.

578 Section 20. Section 626.621, Florida Statutes, is amended  
579 to read:

580 626.621 Grounds for discretionary refusal, suspension, or  
581 revocation of agent's, adjuster's, umpire's, customer  
582 representative's, service representative's, or managing general  
583 agent's license or appointment.—The department may, in its  
584 discretion, deny an application for, suspend, revoke, or refuse  
585 to renew or continue the license or appointment of any  
586 applicant, agent, adjuster, umpire, customer representative,  
587 service representative, or managing general agent, and it may  
588 suspend or revoke the eligibility to hold a license or  
589 appointment of any such person, if it finds that as to the  
590 applicant, licensee, or appointee any one or more of the



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591 following applicable grounds exist under circumstances for which  
592 such denial, suspension, revocation, or refusal is not mandatory  
593 under s. 626.611:

594 (1) Any cause for which issuance of the license or  
595 appointment could have been refused had it then existed and been  
596 known to the department.

597 (2) Violation of any provision of this code or of any other  
598 law applicable to the business of insurance in the course of  
599 dealing under the license or appointment.

600 (3) Violation of any lawful order or rule of the  
601 department, commission, or office.

602 (4) Failure or refusal, upon demand, to pay over to any  
603 insurer he or she represents or has represented any money coming  
604 into his or her hands belonging to the insurer.

605 (5) Violation of the provision against twisting, as defined  
606 in s. 626.9541(1)(1).

607 (6) In the conduct of business under the license or  
608 appointment, engaging in unfair methods of competition or in  
609 unfair or deceptive acts or practices, as prohibited under part  
610 IX of this chapter, or having otherwise shown himself or herself  
611 to be a source of injury or loss to the public.

612 (7) Willful overinsurance of any property or health  
613 insurance risk.

614 (8) Having been found guilty of or having pleaded guilty or  
615 nolo contendere to a felony or a crime punishable by  
616 imprisonment of 1 year or more under the law of the United  
617 States of America or of any state thereof or under the law of  
618 any other country, without regard to whether a judgment of  
619 conviction has been entered by the court having jurisdiction of



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620 such cases.

621 (9) If a life agent, violation of the code of ethics.

622 (10) Cheating on an examination required for licensure or  
623 violating test center or examination procedures published  
624 orally, in writing, or electronically at the test site by  
625 authorized representatives of the examination program  
626 administrator. Communication of test center and examination  
627 procedures must be clearly established and documented.

628 (11) Failure to inform the department in writing within 30  
629 days after pleading guilty or nolo contendere to, or being  
630 convicted or found guilty of, any felony or a crime punishable  
631 by imprisonment of 1 year or more under the law of the United  
632 States or of any state thereof, or under the law of any other  
633 country without regard to whether a judgment of conviction has  
634 been entered by the court having jurisdiction of the case.

635 (12) Knowingly aiding, assisting, procuring, advising, or  
636 abetting any person in the violation of or to violate a  
637 provision of the insurance code or any order or rule of the  
638 department, commission, or office.

639 (13) Has been the subject of or has had a license, permit,  
640 appointment, registration, or other authority to conduct  
641 business subject to any decision, finding, injunction,  
642 suspension, prohibition, revocation, denial, judgment, final  
643 agency action, or administrative order by any court of competent  
644 jurisdiction, administrative law proceeding, state agency,  
645 federal agency, national securities, commodities, or option  
646 exchange, or national securities, commodities, or option  
647 association involving a violation of any federal or state  
648 securities or commodities law or any rule or regulation adopted



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649 thereunder, or a violation of any rule or regulation of any  
650 national securities, commodities, or options exchange or  
651 national securities, commodities, or options association.

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

657 (15) Directly or indirectly accepting any compensation,  
658 inducement, or reward from an inspector for the referral of the  
659 owner of the inspected property to the inspector or inspection  
660 company. This prohibition applies to an inspection intended for  
661 submission to an insurer in order to obtain property insurance  
662 coverage or establish the applicable property insurance premium.

663 Section 21. Subsection (4) of section 626.641, Florida  
664 Statutes, is amended to read:

665 626.641 Duration of suspension or revocation.—

666 (4) During the period of suspension or revocation of a  
667 license or appointment, and until the license is reinstated or,  
668 if revoked, a new license issued, the former licensee or  
669 appointee may not engage in or attempt or profess to engage in  
670 any transaction or business for which a license or appointment  
671 is required under this code or directly or indirectly own,  
672 control, or be employed in any manner by an agent, agency,  
673 adjuster, ~~or~~ adjusting firm, or umpire.

674 Section 22. Subsection (2) of section 626.7845, Florida  
675 Statutes, is amended to read:

676 626.7845 Prohibition against unlicensed transaction of life  
677 insurance.—





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678 (2) Except as provided in s. 626.112(8) ~~626.112(6)~~, with  
679 respect to any line of authority specified in s. 626.015(10), no  
680 individual shall, unless licensed as a life agent:

681 (a) Solicit insurance or annuities or procure applications;

682 (b) In this state, engage or hold himself or herself out as  
683 engaging in the business of analyzing or abstracting insurance  
684 policies or of counseling or advising or giving opinions to  
685 persons relative to insurance or insurance contracts other than:

686 1. As a consulting actuary advising an insurer; or

687 2. As to the counseling and advising of labor unions,  
688 associations, trustees, employers, or other business entities,  
689 the subsidiaries and affiliates of each, relative to their  
690 interests and those of their members or employees under  
691 insurance benefit plans; or

692 (c) In this state, from this state, or with a resident of  
693 this state, offer or attempt to negotiate on behalf of another  
694 person a viatical settlement contract as defined in s. 626.9911.

695 Section 23. Section 626.8305, Florida Statutes, is amended  
696 to read:

697 626.8305 Prohibition against the unlicensed transaction of  
698 health insurance.—Except as provided in s. 626.112(8)  
699 ~~626.112(6)~~, with respect to any line of authority specified in  
700 s. 626.015(6), no individual shall, unless licensed as a health  
701 agent:

702 (1) Solicit insurance or procure applications; or

703 (2) In this state, engage or hold himself or herself out as  
704 engaging in the business of analyzing or abstracting insurance  
705 policies or of counseling or advising or giving opinions to  
706 persons relative to insurance contracts other than:



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707 (a) As a consulting actuary advising insurers; or  
708 (b) As to the counseling and advising of labor unions,  
709 associations, trustees, employers, or other business entities,  
710 the subsidiaries and affiliates of each, relative to their  
711 interests and those of their members or employees under  
712 insurance benefit plans.

713 Section 24. Paragraph (a) of subsection (2) of section  
714 626.8411, Florida Statutes, is amended to read:

715 626.8411 Application of Florida Insurance Code provisions  
716 to title insurance agents or agencies.—

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

719 (a) Section 626.112(9) ~~626.112(7)~~, relating to licensing of  
720 insurance agencies.

721 Section 25. Subsection (4) of section 626.8443, Florida  
722 Statutes, is amended to read:

723 626.8443 Duration of suspension or revocation.—

724 (4) During the period of suspension or after revocation of  
725 the license and appointment, the former licensee shall not  
726 engage in or attempt to profess to engage in any transaction or  
727 business for which a license or appointment is required under  
728 this code or directly or indirectly own, control, or be employed  
729 in any manner by any insurance agent or agency, ~~or~~ adjuster, ~~or~~  
730 adjusting firm, or umpire.

731 Section 26. Paragraph (d) is added to subsection (11) of  
732 section 626.854, Florida Statutes, to read:

733 626.854 "Public adjuster" defined; prohibitions.—The  
734 Legislature finds that it is necessary for the protection of the  
735 public to regulate public insurance adjusters and to prevent the



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736 unauthorized practice of law.

737 (11)

738 (d) If a public adjuster enters into a contract with an  
739 insured or a claimant to perform an appraisal, as defined in s.  
740 626.9964, the public adjuster may not charge, agree to, or  
741 accept from any source compensation, payment, commission, fee,  
742 or any other thing of value in excess of the limitations set  
743 forth in paragraph (b) for the appraisal services or, if also  
744 servicing as adjuster on the claim, a combination of adjuster and  
745 appraisal services.

746 Section 27. Section 626.8791, Florida Statutes, is created  
747 to read:

748 626.8791 Contracts for appraisal services; required  
749 notice.—A contract between an adjuster and an insured or  
750 claimant to perform an appraisal must contain the following  
751 language in at least 14-point boldfaced, uppercase type: "THERE  
752 IS NO LEGAL REQUIREMENT THAT AN APPRAISER CHARGE A CLIENT A SET  
753 FEE OR A PERCENTAGE OF MONEY RECOVERED IN A CASE. YOU, THE  
754 CLIENT, HAVE THE RIGHT TO TALK WITH YOUR APPRAISER ABOUT THE  
755 PROPOSED FEE AND TO BARGAIN ABOUT THE RATE OR PERCENTAGE AS IN  
756 ANY OTHER CONTRACT. IF YOU DO NOT REACH AN AGREEMENT WITH ONE  
757 APPRAISER, YOU MAY TALK WITH OTHER APPRAISERS."

758 Section 28. Subsection (1) of section 626.9957, Florida  
759 Statutes, is amended to read:

760 626.9957 Conduct prohibited; denial, revocation, or  
761 suspension of registration.—

762 (1) As provided in s. 626.112, only a person licensed as an  
763 insurance agent or customer representative may engage in the  
764 solicitation of insurance. A person who engages in the



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765 solicitation of insurance as described in s. 626.112(1) without  
766 such license is subject to the penalties provided under s.  
767 626.112(11) ~~626.112(9)~~.

768 Section 29. Part XIV of chapter 626, Florida Statutes,  
769 consisting of sections 626.9961 through 626.9968, is created to  
770 read:

771 PART XIV

772 PROPERTY INSURANCE APPRAISAL UMPIRES

773 626.9961 Short title.—This part may be referred to as the  
774 “Property Insurance Appraisal Umpire Law.”

775 626.9962 Legislative findings.—The Legislature finds it  
776 necessary to regulate persons that hold themselves out to the  
777 public as qualified to provide services as property insurance  
778 appraisal umpires in order to protect the public safety and  
779 welfare and to avoid economic injury to the residents of this  
780 state. This part applies only to property insurance appraisal  
781 umpires as defined in this part.

782 626.9963 Part supplements licensing law.—This part is  
783 supplementary to part I, the “Licensing Procedures Law.”

784 626.9964 Definitions.—As used in this part, the term:

785 (1) “Appraisal” means, for purposes of licensure under this  
786 part only, a process of alternative dispute resolution used in a  
787 personal residential or commercial residential property  
788 insurance claim.

789 (2) “Competent” means sufficiently qualified and capable of  
790 performing an appraisal.

791 (3) “Department” means the Department of Financial  
792 Services.

793 (4) “Property insurance appraisal umpire” or “umpire” means



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794 a person selected by the appraisers representing the insurer and  
795 the insured, or, if the appraisers cannot agree, by the court,  
796 who is charged with resolving issues that the appraisers are  
797 unable to agree upon during the course of an appraisal.

798 (5) "Property insurance appraiser" or "appraiser" means the  
799 person selected by an insurer or insured to perform an  
800 appraisal.

801 626.9965 Qualification for license as a property insurance  
802 appraisal umpire.—

803 (1) The department shall issue a license as an umpire to a  
804 person who meets the requirements of subsection (2) and is one  
805 of the following:

806 (a) A retired county, circuit, or appellate judge.

807 (b) Licensed as an engineer pursuant to chapter 471 or is a  
808 retired professional engineer as defined in s. 471.005.

809 (c) Licensed as a general contractor, building contractor,  
810 or residential contractor pursuant to part I of chapter 489.

811 (d) Licensed or registered as an architect to engage in the  
812 practice of architecture pursuant to part I of chapter 481.

813 (e) A member of The Florida Bar.

814 (f) Licensed as an adjuster pursuant to part VI of chapter  
815 626, which license includes the property and casualty lines of  
816 insurance. An adjuster must have been licensed for at least 5  
817 years as an adjuster before he or she may be licensed as an  
818 umpire.

819 (2) An applicant may be licensed to practice in this state  
820 as an umpire if the applicant:

821 (a) Is a natural person at least 18 years of age;

822 (b) Is a United States citizen or legal alien who possesses



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823 work authorization from the United States Bureau of Citizenship  
824 and Immigration;  
825 (c) Is of good moral character;  
826 (d) Has paid the applicable fees specified in s. 624.501;  
827 and  
828 (e) Has, before the date of the application for licensure,  
829 satisfactorily completed education courses approved by the  
830 department covering:  
831 1. At least 19 hours of insurance claims estimating; and  
832 2. At least 5 hours of insurance law, ethics for insurance  
833 professionals, disciplinary trends, and case studies.  
834 (3) The department may not reject an application solely  
835 because the applicant is or is not a member of a given appraisal  
836 organization.  
837 626.9966 Grounds for refusal, suspension, or revocation of  
838 an umpire license or appointment.—The department may deny an  
839 application for license or appointment under this part; suspend,  
840 revoke, or refuse to renew or continue a license or appointment  
841 of an umpire; or suspend or revoke eligibility for licensure or  
842 appointment as an umpire if the department finds that one or  
843 more of the following applicable grounds exist:  
844 (1) Violating a duty imposed upon him or her by law or by  
845 the terms of the umpire agreement; aiding, assisting, or  
846 conspiring with any other person engaged in any such misconduct  
847 and in furtherance thereof; or forming the intent, design, or  
848 scheme to engage in such misconduct and committing an overt act  
849 in furtherance of such intent, design, or scheme. An umpire  
850 commits a violation of this part regardless of whether the  
851 victim or intended victim of the misconduct has sustained any



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852 damage or loss; the damage or loss has been settled and paid  
853 after the discovery of misconduct; or the victim or intended  
854 victim is an insurer or customer or a person in a confidential  
855 relationship with the umpire or is an identified member of the  
856 general public.

857 (2) Having a registration, license, or certification to  
858 practice or conduct any regulated profession, business, or  
859 vocation revoked, suspended, or encumbered; or having an  
860 application for such registration, licensure, or certification  
861 to practice or conduct any regulated profession, business, or  
862 vocation denied, by this or any other state, any nation, or any  
863 possession or district of the United States.

864 (3) Making or filing a report or record, written or oral,  
865 which the umpire knows to be false; willfully failing to file a  
866 report or record required by state or federal law; willfully  
867 impeding or obstructing such filing; or inducing another person  
868 to impede or obstruct such filing.

869 (4) Agreeing to serve as an umpire if service is contingent  
870 upon the umpire reporting a predetermined amount, analysis, or  
871 opinion.

872 (5) Agreeing to serve as an umpire, if the fee to be paid  
873 for his or her services is contingent upon the opinion,  
874 conclusion, or valuation he or she reaches.

875 (6) Failure of an umpire, without good cause, to  
876 communicate within 10 business days after a request for  
877 communication from an appraiser.

878 (7) Violation of any ethical standard for umpires specified  
879 in s. 626.9967.

880 626.9967 Ethical standards for property insurance appraisal



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881 umpires.-

882 (1) FEES AND EXPENSES.-

883 (a) The fees charged by an umpire must be reasonable and  
884 consistent with the nature of the case.

885 (b) In determining fees, an umpire:

886 1. Must charge on an hourly basis and may bill only for  
887 actual time spent on or allocated for the appraisal.

888 2. May not charge, agree to, or accept as compensation or  
889 reimbursement any payment, commission, or fee that is based on a  
890 percentage of the value of the claim or that is contingent upon  
891 a specified outcome.

892 3. May charge for costs actually incurred, and no other  
893 costs.

894 (c) An appraiser may assign the duty of paying the umpire's  
895 fee to, and the umpire is entitled to receive payment directly  
896 from, the insurer and the insured only if the insurer and the  
897 insured acknowledge and accept that duty and agree in writing to  
898 be responsible for payment.

899 (2) MAINTENANCE OF RECORDS.-An umpire shall maintain  
900 records necessary to support charges for services and expenses,  
901 and, upon request, shall provide an accounting of all applicable  
902 charges to the insurer and insured. An umpire shall retain  
903 original or true copies of any contracts engaging his or her  
904 services, appraisal reports, and supporting data assembled and  
905 formulated by the umpire in preparing appraisal reports for at  
906 least 5 years. The umpire shall make the records available to  
907 the department for inspection and copying within 7 business days  
908 after a request. If an appraisal has been the subject of, or has  
909 been admitted as evidence in, a lawsuit, reports and records





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910 related to the appraisal must be retained for at least 2 years  
911 after the date that the trial ends.

912 (3) ADVERTISING.—An umpire may not engage in marketing  
913 practices that contain false or misleading information. An  
914 umpire shall ensure that any advertisement of his or her  
915 qualifications, services to be rendered, or the appraisal  
916 process are accurate and honest. An umpire may not make claims  
917 of achieving specific outcomes or promises implying favoritism  
918 for the purpose of obtaining business.

919 (4) INTEGRITY AND IMPARTIALITY.—

920 (a)1. An umpire may not accept an appraisal unless he or  
921 she can serve competently, promptly commence the appraisal and,  
922 thereafter, devote the time and attention to its completion in  
923 the manner expected by all persons involved in the appraisal.

924 2. An umpire shall conduct the appraisal process in a  
925 manner that advances the fair and efficient resolution of issues  
926 that arise.

927 3. An umpire shall deliberate and decide all issues within  
928 the scope of the appraisal, but may not render a decision on any  
929 other issues. An umpire shall decide all matters justly,  
930 exercising independent judgment. An umpire may not delegate his  
931 or her duties to any other person. An umpire who considers the  
932 opinion of an expert does not violate this paragraph. However,  
933 the umpire must disclose the expert's fees before retaining the  
934 expert.

935 (b) An umpire may not engage in any business, provide any  
936 service, or perform any act that would compromise his or her  
937 integrity or impartiality.

938 (5) SKILL AND EXPERIENCE.—An umpire shall decline or



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939 withdraw from an appraisal or request appropriate assistance  
940 when the facts and circumstances of the appraisal prove to be  
941 beyond his or her skill or experience.

942 (6) GIFTS AND SOLICITATION.—An umpire or any individual or  
943 entity acting on behalf of an umpire may not solicit, accept,  
944 give, or offer to give, directly or indirectly, any gift, favor,  
945 loan, or other item of value in excess of \$25 to any individual  
946 who participates in the appraisal, for the purpose of  
947 solicitation or otherwise attempting to procure future work from  
948 any person who participates in the appraisal, or as an  
949 inducement to entering into an appraisal with an umpire. This  
950 subsection does not prevent an umpire from accepting other  
951 appraisals where the appraisers agree upon the umpire or the  
952 court appoints the umpire.

953 (7) EX PARTE COMMUNICATION.—In any property insurance  
954 appraisal, ex parte communication between an umpire and an  
955 appraiser is prohibited. However, an appraiser may communicate  
956 with another appraiser, if an umpire is not present or does not  
957 receive the ex parte communication.

958 626.9968 Conflicts of interest.—An insurer or a  
959 policyholder may challenge an umpire's impartiality and  
960 disqualify the proposed umpire only if:

961 (1) A familial relationship within the third degree exists  
962 between the umpire and a party or a representative of a party;

963 (2) The umpire has previously represented a party in a  
964 professional capacity in the same claim or matter involving the  
965 same property;

966 (3) The umpire has represented another person in a  
967 professional capacity in the same or a substantially related



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968 matter that includes the claim, the same property or an adjacent  
969 property, and the other person's interests are materially  
970 adverse to the interests of a party;

971 (4) The umpire has worked as an employer or employee of a  
972 party within the preceding 5 years; or

973 (5) The umpire has violated s. 626.9966.

974 Section 30. Section 627.70151, Florida Statutes, is  
975 repealed.

976 Section 31. For the 2016-2017 fiscal year, the sums of  
977 \$24,000 in recurring funds from the Insurance Regulatory Trust  
978 Fund and \$73,107 in recurring funds and \$39,230 in nonrecurring  
979 funds from the Administrative Trust Fund are appropriated to the  
980 Department of Financial Services, and one full-time equivalent  
981 position with associated salary rate of 47,291 is authorized,  
982 for the purpose of implementing this act.

983 Section 32. This act applies to all appraisals requested on  
984 or after October 1, 2016.

985 Section 33. This act shall take effect October 1, 2016.

986  
987 ===== T I T L E A M E N D M E N T =====

988 And the title is amended as follows:

989 Delete everything before the enacting clause  
990 and insert:

991 A bill to be entitled  
992 An act relating to property insurance appraisers and  
993 property insurance appraisal umpires; amending s.  
994 624.04, F.S.; revising the definition of the term  
995 "person"; amending s. 624.303, F.S.; exempting  
996 certificates issued to property insurance appraisal



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997 umpires from the requirement to bear a seal of the  
998 Department of Financial Services; amending s. 624.311,  
999 F.S.; providing a schedule for destruction of property  
1000 insurance appraisal umpire licensing files and  
1001 records; amending s. 624.317, F.S.; authorizing the  
1002 department to investigate property insurance appraisal  
1003 umpires for violations of the insurance code; amending  
1004 s. 624.501, F.S.; authorizing specified licensing fees  
1005 for property insurance appraisal umpires; amending s.  
1006 624.523, F.S.; requiring fees associated with property  
1007 insurance appraisal umpires' appointments to be  
1008 deposited into the Insurance Regulatory Trust Fund;  
1009 amending s. 626.015, F.S.; providing a definition;  
1010 amending s. 626.016, F.S.; revising the scope of the  
1011 Chief Financial Officer's powers and duties and the  
1012 department's enforcement jurisdiction to include  
1013 umpires; amending s. 626.022, F.S.; including property  
1014 insurance appraisal umpire licensing in the scope of  
1015 part I of chapter 626, F.S., relating to licensing  
1016 procedures; amending s. 626.112, F.S.; requiring  
1017 umpires to be licensed and appointed; requiring  
1018 licensure as an adjuster when serving as an appraiser  
1019 under certain conditions; providing that only a self-  
1020 appointed insurance appraiser may serve as an  
1021 adjuster; amending s. 626.171, F.S.; requiring  
1022 applicants for licensure as an umpire to submit  
1023 fingerprints to the department; amending s. 626.207,  
1024 F.S.; excluding applicants for licensure as umpires  
1025 from application of s. 112.011, F.S., relating to



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1026 disqualification from license or public employment;  
1027 amending s. 626.2815, F.S.; requiring specified  
1028 continuing education for licensure as an umpire;  
1029 amending s. 626.451, F.S.; providing requirements  
1030 relating to the appointment of an umpire; amending s.  
1031 626.461, F.S.; providing that an umpire appointment  
1032 continues in effect, subject to renewal or earlier  
1033 written notice of termination, until the person's  
1034 license is revoked or otherwise terminated; amending  
1035 s. 626.521, F.S.; authorizing the department to obtain  
1036 a credit and character report for certain umpire  
1037 applicants; amending s. 626.541, F.S.; requiring an  
1038 umpire to provide certain information to the  
1039 department when doing business under a different  
1040 business name or when information in the licensure  
1041 application changes; amending s. 626.601, F.S.;  
1042 authorizing the department or office to investigate  
1043 improper conduct of any licensed umpire; amending s.  
1044 626.611, F.S.; requiring the department to refuse,  
1045 suspend, or revoke an umpire's license under certain  
1046 circumstances; amending s. 626.621, F.S.; authorizing  
1047 the department to refuse, suspend, or revoke an  
1048 umpire's license under certain circumstances; amending  
1049 s. 626.641, F.S.; prohibiting an umpire from owning,  
1050 controlling, or being employed by other licensees  
1051 during the period the umpire's license is suspended or  
1052 revoked; amending ss. 626.7845, 626.8305, and  
1053 626.8411, F.S.; conforming provisions to changes made  
1054 by the act; amending s. 626.8443, F.S.; prohibiting a



1055 title insurance agent from owning, controlling, or  
1056 being employed by an umpire during the period the  
1057 agent's license is suspended or revoked; amending s.  
1058 626.854, F.S.; providing limitations on fees charged  
1059 by a public adjuster during an appraisal; creating s.  
1060 626.8791, F.S.; establishing required notice in a  
1061 contract for appraisal services; amending s. 626.9957,  
1062 F.S.; conforming a cross-reference; creating part XIV  
1063 of chapter 626, F.S., relating to property insurance  
1064 appraisal umpires; creating s. 626.9961, F.S.;  
1065 providing a short title; creating s. 626.9962, F.S.;  
1066 providing legislative purpose; creating s. 626.9963,  
1067 F.S.; providing that the part supplements part I of  
1068 chapter 626, F.S., the "Licensing Procedure Law";  
1069 creating s. 626.9964, F.S.; providing definitions;  
1070 creating s. 626.9965, F.S.; providing qualifications  
1071 for license as an umpire; creating s. 626.9966, F.S.;  
1072 authorizing the department to refuse, suspend, or  
1073 revoke an umpire's license under certain  
1074 circumstances; creating s. 626.9967, F.S.; providing  
1075 ethical standards for property insurance appraisal  
1076 umpires; creating s. 626.9968, F.S.; providing for  
1077 disqualification of an umpire under certain  
1078 circumstances; repealing s. 627.70151, F.S., relating  
1079 to appraisal conflicts of interest; providing an  
1080 appropriation and authorizing positions; providing  
1081 applicability; providing an effective date.