

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Articles offered the following:

2

3 **Amendment**

4 Remove lines 259-335 and insert:

5 Section 10. Subsections (6) through (9) of section
6 626.112, Florida Statutes, are renumbered as subsections (9)
7 through (12), respectively, subsection (1) is amended, and new
8 subsections (6), (7), and (8) are added to that section, to
9 read:

10 626.112 License and appointment required; agents, customer
11 representatives, adjusters, umpires, insurance agencies, service
12 representatives, managing general agents.—

13 (1) (a) No person may be, act as, or advertise or hold
14 himself or herself out to be an insurance agent, insurance

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15 adjuster, or customer representative unless he or she is
16 currently licensed by the department and appointed by an
17 appropriate appointing entity or person.

18 (b) Except as provided in subsection (9) ~~(6)~~ or in
19 applicable department rules, and in addition to other conduct
20 described in this chapter with respect to particular types of
21 agents, a license as an insurance agent, service representative,
22 customer representative, or limited customer representative is
23 required in order to engage in the solicitation of insurance.
24 For purposes of this requirement, as applicable to any of the
25 license types described in this section, the solicitation of
26 insurance is the attempt to persuade any person to purchase an
27 insurance product by:

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

30 2. Distributing an invitation to contract to prospective
31 purchasers;

32 3. Making general or specific recommendations as to
33 insurance products;

34 4. Completing orders or applications for insurance
35 products;

36 5. Comparing insurance products, advising as to insurance
37 matters, or interpreting policies or coverages; or

38 6. Offering or attempting to negotiate on behalf of
39 another person a viatical settlement contract as defined in s.
40 626.9911.

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42 However, an employee leasing company licensed pursuant to
43 chapter 468 which is seeking to enter into a contract with an
44 employer that identifies products and services offered to
45 employees may deliver proposals for the purchase of employee
46 leasing services to prospective clients of the employee leasing
47 company setting forth the terms and conditions of doing
48 business; classify employees as permitted by s. 468.529; collect
49 information from prospective clients and other sources as
50 necessary to perform due diligence on the prospective client and
51 to prepare a proposal for services; provide and receive
52 enrollment forms, plans, and other documents; and discuss or
53 explain in general terms the conditions, limitations, options,
54 or exclusions of insurance benefit plans available to the client
55 or employees of the employee leasing company were the client to
56 contract with the employee leasing company. Any advertising
57 materials or other documents describing specific insurance
58 coverages must identify and be from a licensed insurer or its
59 licensed agent or a licensed and appointed agent employed by the
60 employee leasing company. The employee leasing company may not
61 advise or inform the prospective business client or individual
62 employees of specific coverage provisions, exclusions, or
63 limitations of particular plans. As to clients for which the
64 employee leasing company is providing services pursuant to s.
65 468.525(4), the employee leasing company may engage in
66 activities permitted by ss. 626.7315, 626.7845, and 626.8305,

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67 subject to the restrictions specified in those sections. If a
68 prospective client requests more specific information concerning
69 the insurance provided by the employee leasing company, the
70 employee leasing company must refer the prospective business
71 client to the insurer or its licensed agent or to a licensed and
72 appointed agent employed by the employee leasing company.

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

77 (7) No person shall be, act as, or represent or hold
78 himself or herself out to be a property insurance appraiser who
79 is eligible to represent an insured on a personal residential or
80 commercial residential property insurance claim unless he or she
81 holds a currently effective adjuster license and appointment or
82 is exempt from licensure under s. 626.860. A licensed adjuster
83 who holds an active appointment with an insurance company may
84 not serve as an appraiser for an insured.

85 (8) No person who is a convicted felon or disqualified
86 under s. 626.207 may act or serve as a property insurance
87 appraisal umpire or property insurance appraiser.

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89 Remove line 682 and insert:

90 (2) Except as provided in s. 626.112(9) ~~626.112(6)~~, with

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92 Remove line 704 and insert:

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93 health insurance.—Except as provided in s. 626.112(9)

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95 Remove line 725 and insert:

96 (a) Section 626.112(10) ~~626.112(7)~~, relating to licensing

97

98 Remove line 773 and insert:

99 626.112(12) ~~626.112(9)~~.

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