

1 A bill to be entitled
2 An act relating to limited agent licenses; amending s.
3 626.321, F.S.; renaming "portable electronics
4 insurance" as "portable electronics or eyewear
5 insurance" to include eyewear for purposes of
6 insurance coverage and licenses; providing
7 construction; defining the term "eyewear"; revising
8 the definition of the term "portable electronics";
9 removing the obsolete definition of the term "portable
10 electronics transaction"; amending ss. 626.221,
11 626.732, and 626.8685, F.S.; conforming provisions to
12 changes made by the act; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 **Section 1. Paragraph (h) of subsection (1) and subsection**
17 **(4) of section 626.321, Florida Statutes, are amended to read:**

18 626.321 Limited licenses and registration.—

19 (1) The department shall issue to a qualified applicant a
20 license as agent authorized to transact a limited class of
21 business in any of the following categories of limited lines
22 insurance:

23 (h) Portable electronics or eyewear insurance.—License for
24 property insurance or inland marine insurance that covers only
25 loss, theft, mechanical failure, malfunction, or damage for

portable electronics or eyewear. Such license allows a licensee to sell or offer for sale coverage for both portable electronics and eyewear, but does not require a licensee to sell or offer for sale both types of coverage.

1. The license may be issued only to:

a. Employees or authorized representatives of a licensed general lines agent; or

b. The lead business location of a retail vendor that sells portable electronics or eyewear insurance. The lead business location must have a contractual relationship with a general lines agent.

2. Employees or authorized representatives of a licensee under subparagraph 1. may sell or offer for sale portable electronics or eyewear coverage without being subject to licensure as an insurance agent if:

a. Such insurance is sold or offered for sale at a licensed location or at one of the licensee's branch locations if the branch location is appointed by the licensed lead business location or its appointing insurers;

b. The insurer issuing the insurance directly supervises or appoints a general lines agent to supervise the sale of such insurance, including the development of a training program for the employees and authorized representatives of vendors that are directly engaged in the activity of selling or offering the insurance; and

51 c. At each location where the insurance is offered,
52 brochures or other written materials that provide the
53 information required by this subparagraph are made available to
54 all prospective customers. The brochures or written materials
55 may include information regarding portable electronics or
56 eyewear insurance, service warranty agreements, or other
57 incidental services or benefits offered by a licensee.

58 3. Individuals not licensed to sell portable electronics
59 or eyewear insurance may not be paid commissions based on the
60 sale of such coverage. However, a licensee who uses a
61 compensation plan for employees and authorized representatives
62 which includes supplemental compensation for the sale of
63 noninsurance products, in addition to a regular salary or hourly
64 wages, may include incidental compensation for the sale of
65 portable electronics or eyewear insurance as a component of the
66 overall compensation plan.

67 4. Brochures or other written materials related to
68 portable electronics or eyewear insurance must:

69 a. Disclose that such insurance may duplicate coverage
70 already provided by a customer's homeowners insurance policy,
71 renters insurance policy, or other source of coverage;

72 b. State that enrollment in insurance coverage is not
73 required in order to purchase or lease portable electronics or
74 eyewear or services;

75 c. Summarize the material terms of the insurance coverage,

76 including the identity of the insurer, the identity of the
77 supervising entity, the amount of any applicable deductible and
78 how it is to be paid, the benefits of coverage, and key terms
79 and conditions of coverage, such as whether portable electronics
80 or eyewear may be repaired or replaced with similar make and
81 model reconditioned or nonoriginal manufacturer parts or
82 equipment;

83 d. Summarize the process for filing a claim, including a
84 description of how to return portable electronics or eyewear and
85 the maximum fee applicable if the customer fails to comply with
86 equipment return requirements; and

87 e. State that an enrolled customer may cancel coverage at
88 any time and that the person paying the premium will receive a
89 refund of any unearned premium.

90 5. A licensed and appointed general lines agent is not
91 required to obtain a portable electronics and eyewear insurance
92 license to offer or sell portable electronics or eyewear
93 insurance at locations already licensed as an insurance agency,
94 but may apply for a portable electronics and eyewear insurance
95 license for branch locations not otherwise licensed to sell
96 insurance.

97 6. A portable electronics and eyewear insurance license
98 authorizes the sale of individual policies or certificates under
99 a group or master insurance policy. The license also authorizes
100 the sale of service warranty agreements covering only portable

101 electronics or eyewear to the same extent as if licensed under
102 s. 634.419 or s. 634.420.

103 7. A licensee may bill and collect the premium for the
104 purchase of portable electronics or eyewear insurance provided
105 that:

106 a. If the insurance is included with the purchase or lease
107 of portable electronics or eyewear or related services, the
108 licensee clearly and conspicuously discloses that insurance
109 coverage is included with the purchase. Disclosure of the stand-
110 alone cost of the premium for same or similar insurance must be
111 made on the customer's bill and in any marketing materials made
112 available at the point of sale. If the insurance is not
113 included, the charge to the customer for the insurance must be
114 separately itemized on the customer's bill.

115 b. Premiums are incidental to other fees collected, are
116 maintained in a manner that is readily identifiable, and are
117 accounted for and remitted to the insurer or supervising entity
118 within 60 days of receipt. Licensees are not required to
119 maintain such funds in a segregated account.

120 c. All funds received by a licensee from an enrolled
121 customer for the sale of the insurance are considered funds held
122 in trust by the licensee in a fiduciary capacity for the benefit
123 of the insurer. Licensees may receive compensation for billing
124 and collection services.

125 8. Notwithstanding any other provision of law, the terms

126 for the termination or modification of coverage under a policy
127 of portable electronics or eyewear insurance are those set forth
128 in the policy.

129 9. Notice or correspondence required by the policy, or
130 otherwise required by law, may be provided by electronic means
131 if the insurer or licensee maintains proof that the notice or
132 correspondence was sent. Such notice or correspondence may be
133 sent on behalf of the insurer or licensee by the general lines
134 agent appointed by the insurer to supervise the administration
135 of the program. For purposes of this subparagraph, an enrolled
136 customer's provision of an electronic mail address to the
137 insurer or licensee is deemed to be consent to receive notices
138 and correspondence by electronic means if a conspicuously
139 located disclosure is provided to the customer indicating the
140 same.

141 10. The fingerprinting requirements in s. 626.171(4) do
142 not apply to licenses issued to qualified entities under this
143 paragraph.

144 11. A branch location that sells portable electronics or
145 eyewear insurance may, in lieu of obtaining an appointment from
146 an insurer or warranty association, obtain a single appointment
147 from the associated lead business location licensee and pay the
148 prescribed appointment fee under s. 624.501 if the lead business
149 location has a single appointment from each insurer or warranty
150 association represented and such appointment applies to the lead

business location and all of its branch locations. Branch location appointments shall be renewed 24 months after the initial appointment date of the lead business location and every 24 months thereafter. Notwithstanding s. 624.501, the renewal fee applicable to such branch location appointments is \$30 per appointment.

12. For purposes of this paragraph:

a. "Branch location" means any physical location in this state at which a licensee offers its products or services for sale.

b. "Eyewear" means smart glasses and nonelectronic eyewear. As used in this sub-subparagraph, the term "nonelectronic eyewear" includes prescription and nonprescription eyeglasses and sunglasses.

~~c.b.~~ "Portable electronics" means equipment that is personal, self-contained, and easily carried by an individual; has electrical, digital, magnetic, wireless, electromagnetic, or similar capabilities; and operates using batteries, rechargeable power sources, or other energy sources. The term includes equipment used for communication, data processing, viewing, listening, recording, gaming, computing, navigation, household, health or activity monitoring, or similar uses and may also incorporate features responsive to user input or environmental conditions, ~~battery-operated electronic communication, viewing, listening, recording, gaming, computing or global positioning~~

176 ~~devices, including cell or satellite phones, pagers, personal~~
177 ~~global positioning satellite units, portable computers, portable~~
178 ~~audio listening, video viewing or recording devices, digital~~
179 ~~cameras, video camcorders, portable gaming systems, docking~~
180 ~~stations, automatic answering devices, and other similar devices~~
181 ~~and their accessories, and service related to the use of such~~
182 ~~devices.~~

183 ~~e. "Portable electronics transaction" means the sale or~~
184 ~~lease of portable electronics or a related service, including~~
185 ~~portable electronics insurance.~~

186 (4) Except as otherwise expressly provided, a person
187 applying for or holding a limited license is subject to the same
188 applicable requirements and responsibilities that apply to
189 general lines agents in general if licensed as to motor vehicle
190 physical damage and mechanical breakdown insurance, industrial
191 fire insurance or burglary insurance, motor vehicle rental
192 insurance, credit insurance, crop hail and multiple-peril crop
193 insurance, in-transit and storage personal property insurance,
194 or portable electronics or eyewear insurance; or as apply to
195 life agents or health agents in general, as applicable, if
196 licensed as to travel insurance.

197 **Section 2. Paragraph (b) of subsection (2) of section**
198 **626.221, Florida Statutes, is amended to read:**

199 626.221 Examination requirement; exemptions.—

200 (2) However, an examination is not necessary for any of

the following:

(b) An applicant for a limited license as agent for travel insurance, motor vehicle rental insurance, credit insurance, in-transit and storage personal property insurance, or portable electronics or eyewear insurance under s. 626.321.

Section 3. Subsection (7) of section 626.732, Florida Statutes, is amended to read:

626.732 Requirement as to knowledge, experience, or instruction.—

(7) This section does not apply to an individual holding only a limited license for travel insurance, motor vehicle rental insurance, credit insurance, in-transit and storage personal property insurance, or portable electronics or eyewear insurance.

Section 4. Section 626.8685, Florida Statutes, is amended to read:

626.8685 Portable electronics or eyewear insurance claims; exemption; licensure restriction.—

(1) This part does not apply to any individual who collects claims information from, or furnishes claims information to, insureds or claimants, and who conducts data entry, including entering data into an automated claims adjudication system, provided that the individual is an employee of a business entity licensed under this chapter, or its affiliate, and no more than 25 such persons are under the

226 supervision of one licensed independent adjuster or licensed
227 agent who is exempt from licensure pursuant to s. 626.862. For
228 purposes of this subsection, the term "automated claims
229 adjudication system" means a preprogrammed computer system
230 designed for the collection, data entry, calculation, and final
231 resolution of portable electronics or eyewear insurance claims
232 that:

233 (a) May be used only by a licensed independent adjuster,
234 licensed agent, or supervised individual operating pursuant to
235 this subsection;

236 (b) Must comply with all claims payment requirements of
237 the insurance code; and

238 (c) Must be certified as compliant with this subsection by
239 a licensed independent adjuster that is an officer of a licensed
240 business entity under this chapter.

241 (2) Notwithstanding any other provision of law, a resident
242 of Canada may not be licensed as a nonresident independent
243 adjuster for purposes of adjusting portable electronics
244 insurance or eyewear claims unless the person has successfully
245 obtained an adjuster's license in another state.

246 **Section 5.** This act shall take effect July 1, 2026.